

Annex II

Public

ANNEX A

PUBLIC

Penal Code

General Provisions

Part (1)

General Rules

Article (1)

Offences and Penalties

There is no offence and no penalty except as provided by law.

Article (2)

Alternation of Laws

Offences are punished in accordance with the law in force at the time that they are committed.

Nonetheless, if after the commission of the offence and before final sentence thereon, a law is issued that is more favourable to the accused, then that law shall apply and no other.

If after final sentence, a law is issued that makes the offence for which the offender was sentenced not subject to punishment, the execution of the sentence shall be stayed and the penal effects thereof shall cease.

But if the proceedings have been initiated or if a conviction has been handed down for an act contrary to a law forbidding the commission thereof during a defined period, then the expiry of that period shall not interfere with the proceedings in the case or with the execution of the penalty inflicted.

Article (3)

Ignorance of the Criminal Law

Ignorance of the criminal law may not be pleaded as exculpation for an act.

Article (4)

Application of the Criminal Law

The provisions of this Code shall apply to every Libyan and foreigner who commits an offence stipulated therein within Libyan territory. Airplanes and ships belonging to Libya shall be considered to be within Libyan territory wherever they are located, except insofar as they may be subject to foreign law in accordance with the provisions of international law.

Article (5)

Offences Committed Abroad

The provisions of this Code shall apply to the following persons:

1. Anyone who commits an act outside Libya that makes him either a principal or an accessory to an offence committed in Libya wholly or in part;
2. Anyone commits the following offences outside Libya:
 - a) An offence that undermines the security of the State, as provided for by Part (1) and (2) of Book (2) of this Code;
 - b) Forgery, as provided for by Articles (334) and (335) of this Code;
 - c) Counterfeiting of currency in legal circulation in Libya, as provided for by Article (326) of this Code;
 - d) Slavery, as provided for by Article (427) of this Code.

Article (6)**Crimes and Misdemeanours Committed by Libyans outside Libya**

Any Libyan who commits outside Libya an act that is a crime or misdemeanour under this Code, with the exception of those offences mentioned in the preceding Article, shall be punished in accordance with the provisions of this Code if he returns to Libya and the offence was punishable by the law of the country in which it was committed.

Article (7)**Conditions Precluding Prosecution for a Crime Committed Abroad**

Public cases may not be brought against persons who are proven to have been finally sentenced, acquitted, or convicted by a foreign court and to have satisfied the penalty. The situations mentioned in Article 5 of this Code are excepted from the provisions of this article.

Pursuant to Article (3) of Law No. (18) of 1962 amending certain provisions of the Code of Criminal Procedure and the Penal Code:**Article (8)****Article (9)****Article (10)**

Repealed.

Article (11)**Special Criminal Laws**

The provisions of this Book shall apply to offences provided for by special laws and regulations except if a contrary text exists.

Article (12)**Plurality of Criminal Texts**

If a case is subject to more than one penal law or to more than one provision of the same law, the special laws or special provisions shall prevail over general laws or general provisions, unless otherwise stipulated.

Article (13)**Calculation of Periods and Their Entry into Effect**

If any time period has legal effect, then that period shall be calculated in accordance with the Gregorian Calendar, but the day from which the period commences shall not be included in the calculation.

Article (14)**Criminal Law and Sharia Law**

This Code shall in no manner affect the individual rights provided for by Sharia law.

Article (15)**Restitution and Compensation**

The infliction of the penalties set forth by this Code shall not affect a party's obligation to provide restitution or compensation.

Article (16)**Definitions**

In criminal law, the following expressions shall have the following meanings:

1. An offence shall be considered as having been committed in public if it was committed:
 - a) By means of newspapers or other means of publication or propaganda;
 - b) In a public place or a place open or exposed to the public, and in the presence of several persons;
 - c) In a gathering which cannot be considered as private due to the location where it is held, the number of persons present, or the purpose for which it is held;
2. Relatives are ascendants and descendants, the spouses, brothers and sisters, in-laws of the same degree, paternal and maternal uncles and their children, but in-laws shall not be considered as relatives if one of the spouses dies without offspring.
3. Violence against objects is the forcible removal of an object if it results in the destruction or damage thereof, or its transfer, or alteration in the manner of its use.
4. Public Official means any person entrusted with a public function in the service of the government, provinces or public bodies, whether an official or employee, permanent or temporary, and with or without salary. Included in this expression are public notaries, members and assistants of the courts, arbitrators, experts, interpreters, and witnesses while performing their respective duties.

Part (2)
Penalties
Chapter (1)
Types of Penalties

Article (17)
Types of Penalties

Penalties are of two types: principal and accessory.

Principal penalties are:

1. Death.
2. Life imprisonment.
3. Imprisonment.
4. Detention.
5. Fine.

Accessory penalties are:

1. Deprivation of civil rights.
2. Interdiction from practicing professions or arts.
3. Loss of legal capacity.
4. Publication of the conviction.

Article (18)
Imposition of Principal and Accessory Penalties

Upon conviction, the judge shall pronounce the principal penalties, but the accessory penalties follow by operation of law and there is no necessity for them to be pronounced except when the law specifically provides therefor.

Chapter (2)
Principal Penalties

Pursuant to Article (1) of Law No. (14) of 1999 amending Article (19) of the Penal Code:

Article (19)**Death**

Every person sentenced to death shall be executed by firing squad, in accordance with the legally prescribed procedures.

Article (20)**Life Imprisonment**

Life imprisonment is the confinement of a person in a place designated for the purpose and the infliction of hard labour for the duration of the convict's life as provided for by the Prison Regulations.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (21)**Imprisonment**

Imprisonment is the confinement of a person in a place designated for the purpose and the infliction of hard labour as provided for by the Prison Regulations. Imprisonment shall not be less than 3 years, nor more than 15 years, except in cases provided for by law.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (22)**Detention**

Detention is the confinement of a person in a central or local prison for the duration of his sentence. In any case, this period shall not be less than 24 hours nor more than three years, except in cases provided for by law.

Article (23)**Types of Detention**

There are two types of detention:

1. Simple detention.
2. Detention with hard labour.

Those sentenced to detention with hard labour shall work inside or outside the prison in the manner prescribed by the Prison Regulations.

Any person sentenced to simple detention not exceeding six months may request, as an alternate penalty, to work outside the prison, in accordance with the Code of Criminal Procedure, unless the text of the ruling deprives him of this option.

Article (24)**Detention with or without Hard Labour**

The judge shall order that the detention be with hard labour when the sentence is for detention for a period of one year or more, as well as in the cases designated by law.

The sentence shall always be simple detention in the case of infractions.

With the exception of the foregoing, the sentence may be simple detention or detention with hard labour.

Article (25)

Commencement of Custodial Penalties

Custodial penalties shall commence from the day when the offender is imprisoned in accordance with the sentence to be executed, and the period during which he has been in provisional detention shall be deducted therefrom.

Article (26)

Fines

The penalty of a fine compels the offender to pay the amount specified in the sentence to the State Treasury. In no case may the amount of the fine be less than ten piasters.

Article (27)

Powers of the Judge to Determine Penalties

The judge shall inflict the penalty that he deems fit within the limits stipulated by the law. He shall set forth the grounds supporting his assessment, and he shall not transgress the limits stipulated by the law either by increase or reduction, except in the cases provided for by the law.

Article (28)

Assessment of the Penalty

In his assessment of the penalty in accordance with the preceding article, the judge shall consider the gravity of the offence and the offender's inclination toward crime. The gravity of the offence shall be determined by the following circumstances:

1. The nature and kind of the act and the means used in its commission, and its purpose, location, occurrence, time, and other circumstances connected therewith.
2. The magnitude of the damage or danger resulting from the act.
3. The degree of criminal intent, whether intentional or unintentional.

The offender's inclination toward crime is indicated by the following circumstances:

1. The motives for the offence and the character of the offender.
2. The prior criminal and judicial convictions of the offender and his life in general before the commission of the crime.
3. The offender's conduct during commission or the crime and afterwards.
4. The personal, familial and social living circumstances of the offender.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (29)

Mitigation or Substitution of the Penalty

If there are extenuating circumstances, the Judge may reduce the penalty or substitute another penalty for it in the following manner:

Life imprisonment instead of a death sentence.

Imprisonment instead of life imprisonment.

Detention for a period not less than six months instead of imprisonment.

In all cases, the judge may reduce the penalty up to half the penalty prescribed by law for felonies and misdemeanours, when the foregoing circumstances exist.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (29) *bis*

Whenever the law provides that the penalty shall be increased or decreased within a specific range due to aggravating or extenuating circumstances, the increase or decrease shall apply to penalty inflicted by the judge, unless the law stipulates otherwise.

Article (30)

How Penalties Are Calculated

Penalties fixed by time shall be calculated in terms of days, months and years. Parts of a day are not taken into account in penalties fixed by time, nor are fractions of a piaster considered in monetary penalties.

Article (31)

Equivalence of Different Penalties

If it becomes necessary to convert monetary penalties into custodial penalties or preventive detention, the conversion shall be made at the rate of one day of custodial penalty per 50 piasters or any portion of that amount.

Pursuant to Article (6) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (32)

Repealed.

Chapter (3)

Accessory Penalties

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (33)

Deprivation of civil rights is of two kinds: perpetual and temporary.

Perpetual deprivation of civil rights deprives the offender of the following rights and privileges, unless otherwise provided by law:

1. The right to run for or be elected to any representative body, and all other political rights.
2. The right to retain any public office or accept any public service, unless the service is compulsory. The offender shall also be deprived of any capacity acquired as a result of the public office or service.
3. The right to act as trustee or guardian, even temporarily, and all other rights pertaining to trusteeship or guardianship.
4. Titles, ranks, decorations, and other public distinctions.
5. All honorific rights arising from any office, service, degree or title, and the capacities and distinctions specified in the foregoing.
6. The capacity to assume or acquire any right, capacity, service, title, degree, or decoration specified in the foregoing.

Temporary deprivation debars the offender from the capacity to acquire, exercise or enjoy any of the aforementioned rights, capacities, titles and honours for the duration of the deprivation.

Pursuant to Article (5) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (34)

Circumstances that Involve Deprivation of Civil Rights

A sentence of life imprisonment or of imprisonment for ten years or more involves perpetual deprivation of civil rights starting from the day that the sentence becomes final. A sentence of imprisonment for three years or more involves deprivation of civil rights for the duration of the sentence and for a period thereafter of not less than one year and not more than five years.

If in the sentence it is decided that the offender is a habitual criminal, that he is a professional in the commission of felonies or misdemeanours or that he has a deviant criminal tendency, then the deprivation shall be perpetual.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (35)

Interdiction from Practicing Professions or Arts

Interdiction from the professions or arts deprives the offender, for the duration of the interdiction, of the right to conduct any profession, art, industry, commerce or trade that requires any special permit, authorisation, or license from any public authority. Such interdiction involves the forfeiture of any such permit, authorisation or license.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (36)

Sentences that Involve Interdiction

The temporary interdiction set forth in the preceding article results from conviction of a felony or intentional misdemeanour committed by abuse of any profession, art, industry, commerce or trade, or breach of the duties pertaining thereto.

Temporary interdiction from public office or service, and from trusteeship or guardianship results from conviction of a felony or intentional misdemeanour committed by abuse of the power of, or by breach of the duties arising from the public office, public service, trusteeship or guardianship.

The interdiction set forth in the two preceding paragraphs shall be for the duration of the penalty and another subsequent period to be determined by the sentence, provided that it is no less than six months and no more than three years in the case of misdemeanours, and no less than one year and no more than five years in the case of felonies.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (37)

Loss of Legal Capacity

Every person sentenced to death, life imprisonment, or imprisonment for a period not less than five years shall lose his legal capacity for the duration of his imprisonment.

The offender shall appoint a guardian, to be approved by the court, to administer his property. If he does not appoint one, the court of first instance in whose jurisdiction his residence falls, shall appoint one at the request of the public prosecution or any party concerned. The court may compel the guardian that it appoint to provide a surety bond and the guardian approved or appointed by the court shall be subject thereto in all matters pertaining to the guardianship. The person sentenced may only dispose of his property with the permission of the aforementioned court.

Any obligation undertaken without adherence to the foregoing shall be null and void, and the sentenced person's property shall be returned to him after the penalty expires or his release, and the guardian presents to him a bill for his administration.

Pursuant to Article (6) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (38)

Repealed.

Article (39)

Publication of the Sentence

Publication is obligatory in the case of a sentence of death or life imprisonment and in other cases provided for by law. Publication shall be made by posting a notice thereof in the area where the sentence was pronounced, the area where the offence was committed, and in the area where the offender had his last place of residence.

In addition to the above, the notice shall be published one or more times in a newspaper or newspapers to be determined by the judge.

The notice shall be limited to a summary of the sentence unless the judge orders the whole sentence to be published. The cost of publication shall be borne by the offender. If the circumstances require, the judge may order the sentence to be broadcast.

Article (40)

Duration of Temporary Accessory Penalties

If the law stipulates that the conviction shall result in accessory penalties but no duration therefor is determined, then the duration of the accessory penalty shall be for the duration of the principal penalty to which the offender is sentenced or for the duration that the offender is required to serve in substitution for a fine which he has failed to pay. In any case, the duration of the accessory penalty shall not be less or more than the minimum prescribed by the law.

Chapter (4)

Execution of Penalties

Article (41)

Guiding Principles in the Execution of Penalties

The manner of execution of the penalty shall aim to reform the offender and educate him in order to achieve the moral and social objectives intended by the penalty.

In the execution of custodial penalties, the principles of humanity, work and education shall be respected.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (42)

Supervision of Execution by the Judge and the Prosecution

The execution of custodial penalties is subject to the supervision of the judge and the public prosecution.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (43)

Custodial penalties shall be served by the person sentenced thereto for a felony or misdemeanour in special establishments according to the following categories:

1. Habitual or professional criminals and deviant criminals;
2. Juveniles of less than eighteen years of age;
3. Persons sentenced to a penalty that is mitigated due to a mental disability as well as deaf persons and mutes, sufferers of alcohol or drug poisoning, alcoholics and persons addicted to drugs. Such persons shall be placed under special supervision for treatment.

Women shall serve custodial penalties in establishments other than those designated for men.

Article (44)

Distribution of Sentenced Persons among Various Facilities

In distributing sentenced persons among various facilities, recidivism and the nature of the crime shall be taken into account in distributing the sentenced persons between special and ordinary prisons.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (45)

Labour and Remuneration of Convicted Persons

Convicted persons are entitled to remuneration for the work that they perform during their penalty, in accordance with the Prison Regulations. These amounts may be deducted from or executed against.

Chapter (5)

Plurality of Penalties

Article (46)

Accumulation of Penalties

Custodial penalties may accumulate, provided that the provisions of Article 48 are not exceeded.

Article (47)

Order of Execution of Multiple Penalties

If the multiple penalties are of different types, each penalty shall be fully completed separately in the order below, subject to the following article:

1. Imprisonment.

2. Detention with hard labour.
 3. Simple detention.
- Life imprisonment precludes all the other penalties.

Article (48)

Maximum Accumulation of Custodial Penalties

If a person commits multiple offences before he is sentenced for one of them and penalties of imprisonment accumulate or penalties of imprisonment and detention are combined, the combined period of the penalties together shall not exceed thirty years, and if penalties of detention accumulate, then the combined period shall not exceed ten years.

Article (49)

Accumulation of Monetary Penalties

Monetary penalties always accumulate, even if they are combined with custodial penalties.

Article (50)

Limitation of Accessory Penalties

For the limitation of accessory penalties and other penal effects of the sentence, when the principal penalties have accumulated, each crime for which a sentence was pronounced and the principal penalties imposed on each crime separately shall be taken into account. If similar accessory penalties accumulate, each penalty shall be applied in full.

Article (51)

Maximum Duration of Multiple Accessory Penalties

The total duration of time-limited accessory penalties shall not exceed ten years.

Part (3)

Offences

Chapter (1)

Types of Offences

Article (52)

Types of Offences

Offences are of three types: felonies, misdemeanours and infractions, according to the penalty proscribed by this Code.

Article (53)

Felonies

Felonies are punishable by the following penalties:

- Death.
- Life imprisonment.
- Imprisonment.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (54)

Misdemeanours

Misdemeanours are punishable by the following penalties:

- Detention for more than one month.
- Fine of more than ten Libyan pounds.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (55)

Infractions

Infractions are punishable by the following penalties:

- Detention not exceeding one month.
- Fine not exceeding ten Libyan pounds.

Chapter (2)

Material Element of the Offence

Article (56)

Impossibility of the Offence

There is no offence when the injurious or dangerous event is impossible because the act is unfeasible or the object thereof does not exist.

Nevertheless, the acts committed are punishable if such acts in themselves constitute another offence.

Article (57)

Causal Connection

No one may be punished for any act that the law makes an offence, if the injury or danger on which the existence of the offence depends does not proceed from the act or the negligence to act.

Failure to prevent an incident when the law imposes an obligation to prevent it shall be subject to the same provisions as those for the perpetrator.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (58)

Concurrence of Causes

The concurrence of other pre-existing, contemporaneous or supervening causes, even if they are independent of the act or negligence of the offender, does not exclude the causal connection between the act or the negligence to act and the incident.

Supervening causes exclude the causal connection when they are by themselves sufficient to produce the incident.

In this case, if the act or negligence to act which preceded the incident by itself constitutes an offence, the penalty prescribed for it shall be applied.

For penalties of death or life imprisonment, imprisonment for a period of not less than fifteen years shall be substituted. Other penalties shall be reduced by an amount not exceeding one third if the offender was not aware of the pre-existing or contemporaneous causes of the act, or if the supervening causes were independent of his act or negligence to act, provided that these causes have major importance in the occurrence of the incident.

The preceding provisions shall apply even if the pre-existing, contemporaneous or supervening cause consists in the illegal act of another person.

Chapter (3) **Attempt**

Article (59) **Attempt**

An attempt is the beginning to execute an act with the intention of committing a felony or misdemeanour, if its effect is stopped or fails by reason of circumstances external to the will of the perpetrator.

The mere intention to commit a felony or misdemeanour and preparatory acts for such shall not be deemed attempts.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (60) **Penalties for Attempted Felonies**

Attempted felonies shall be punished by the following penalties, unless otherwise provided by law:

Life imprisonment, if the penalty for the felony is death.

Imprisonment for a period of no less than eight years, if the penalty for the felony is life imprisonment.

In other cases, the sentence shall be imprisonment with a reduction by half.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (61) **Punishment of Attempted Misdemeanours**

Attempted misdemeanours shall be punished by the penalties prescribed for the full misdemeanour reduced by half.

Chapter (4) **Moral Element of the Crime**

Article (62) **Conscience and Volition**

An act or negligence to act that is made an offence by law is not punishable unless it was committed consciously and voluntarily.

No act that the law makes a felony or misdemeanour may be punishable if it is not committed intentionally, with the exception of those cases of felonies and misdemeanours expressly provided for by law.

Contrary to the foregoing, the law shall determine the cases in which the act shall be imputed to the perpetrator as a result of his act or negligence to act.

In infractions, everyone is accountable for his own acts or negligence to act provided they are conscious and voluntary, whether they involve criminal intent or are mistakes.

Article (63)

Criminal Intent, Exceeding Intention, and Negligence

A felony or misdemeanour is committed intentionally if the perpetrator foresees or intends the injury or danger that is the result of his act or negligence to act and upon which the law makes the existence of the offence dependent.

An act exceeds intention, when an injury or danger results from the act or negligence to act that is more severe than intended by the perpetrator.

It is negligent when the incident, even if foreseen, was not intended by the perpetrator, and occurred through carelessness, recklessness, lack of knowledge or failure to observe the laws, regulations, orders or codes.

The aforementioned distinction between intentional offences and negligent offences shall also apply to infractions, whenever the law makes any legal effect dependent on this distinction.

Article (64)

Crimes Committed by Means of Publications

Taking into consideration the responsibility of the author and except in circumstances of joint participation, when an offence is committed by means of a periodical, it is punishable in accordance with the following provisions:

The director or editor of the periodical who did not prevent the publication thereof, unless the publication occurred as the result of circumstances beyond his control or as the result of an unforeseen event or as the result of force, material or moral, which could not be resisted.

If the act is a felony or misdemeanour that involves criminal intent, the penalty prescribed for the offence committed shall be applied after reduction of the penalty by half, and if the act is a negligent offence or infraction, the penalty prescribed for that offence shall be applied.

In the event that the publication is not a periodical or if the author is unknown, or cannot be charged, or is not within the territory of the State, the provisions of the preceding provisions shall apply to the publisher, and if the publisher is unknown or cannot be charged, or is not within the territory of the State, then the printer shall be punishable.

Article (65)

Secret Publications

The provisions of the preceding article shall apply even if the provisions of laws on the publication and distribution of periodical and non-periodical printed matter have not been observed.

If the persons mentioned in the preceding article are unknown, cannot be punished, or are not within the territory of the State, any person who has in any manner distributed the printed matter is liable for the offence.

Article (66)

Objective Conditions of the Offence

When the law requires the fulfilment of a certain condition in order to make an offence punishable, the offender is liable for the offence even if he did not intend the event on which the fulfilment of the condition depends.

Article (67)

Material Error

An error with regards to the fact that constitutes the offence shall relieve the perpetrator from punishment.

Nevertheless, if the mistake arises from the negligence of the perpetrator, he shall not be relieved from punishment when the fact is deemed a negligent offence by law.

Furthermore, the perpetrator shall be punished wherever the fact constitutes another offence.

Article (68)

Error Arising from Deception

The provisions of the preceding article shall apply even if the mistake of fact that constitutes the offence is the result of deception by a third party. In this case, the person who induced commission of the act shall be punished therefor.

Chapter (5)

Grounds for Exculpation

Article (69)

Exercise of a Right or Performance of a Duty

An act committed through the exercise of a right or the performance of a duty imposed by law or by a lawful order of a public authority shall not be subject to punishment. If an act which constitutes an offence has been carried out by order of authority, the public official who gave the order is responsible for that offence. The person who carries out the order is likewise liable unless due to a mistake of fact, he believed that he was obeying a lawful order.

The person who carries out an unlawful order shall not be subject to punishment when the law definitively forbids discussion on the lawfulness thereof.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (70)

Lawful Defence

There is no punishment if the act is committed during exercise of the right to lawful defence. This right exculpates a person for commission of any act that is necessary in order to avert a crime that would cause damage to himself or others. This right does not exist when it would have been possible to seek the protection of the public authorities in a timely manner.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (70) *bis* (a)

The right to lawful defence shall not exculpate resistance to public officials during their performance of an order in good faith, based on the duties of their position, even if they exceed the boundaries thereof, unless it is feared that death or severe injury may result from their actions and this fear rests on reasonable grounds.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (70) *bis* (b)

The right to lawful defence does not exculpate wilful murder unless it was intended in order to avert the following situations:

1. An act that it is feared would cause death or severe injury, when this fear rests on reasonable grounds.
2. Sexual intercourse or violation by force or under threat.
3. Kidnapping.
4. Felony theft.
5. Entry by night of an inhabited residence or any of its appurtenances.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (71)

Lawful Use of Arms

Notwithstanding the provisions of the previous articles, a public official shall not be subject to punishment if he uses or orders the use of arms or other means of physical coercion when compelled by the necessity to repel force or to overcome resistance to public authorities.

The same provisions shall apply to anyone who assists a public official in fulfilment of a lawful request.

The law shall regulate the other cases in which the use of arms or other means of coercion is justified.

Article (72)

Necessity

No one shall be subject to punishment for commission of an act that he was constrained thereto by the necessity to save himself or a third party from an imminent danger that threatens grave personal injury, provided that such danger was not voluntarily caused by him, he could not avoid it in any other way, and provided that the act is proportional to the danger.

This provision shall not apply to anyone who has a legal duty to expose himself to the danger.

The provisions of the first paragraph of this article shall apply also if the necessity results from the threats of a third party. In this case, the person who used the threat to compel commission of the act shall be liable therefor.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (73)

Transgression of the Limits of Lawful Defence

If in the commission of any of the acts set forth in the preceding articles, the limits prescribed by law, by the order of an authority, or imposed by necessity are negligently exceeded, the perpetrator shall be punished by the penalties for negligent offences, if the law provides that the commission of such offences may constitute negligence.

Article (74)

Accidents and Force Majeure

Anyone who commits an act by accident or force majeure shall not be subject to punishment.

Article (75)

Constraint

No one shall be subject to punishment if he commits an act under constraint by another through physical force that he could not resist or from which he could not extricate himself. In such a case, the person who exercises the constraint is liable for the offence.

Chapter (6)

Multiple Offences

Article (76)

Multiple Offences from One Act and Connected Offences

If one act constitutes several offences, only the offence with that severest penalty shall be considered and the penalty for that offence and no other shall be inflicted. If several offences are committed with one purpose, and these offences are connected to one another such that they are indivisible, then they shall be considered a single offence and the sentence prescribed for the most serious offence shall be imposed, and the penalty shall be increased by one third.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (77)

Continuing Offences

If several acts are committed in order to execute a single criminal motive, then they shall be considered a single offence if they violate the same provision of the law, even if they differ in gravity, or were committed at different times. However, the penalty therefor shall be increased up to one third.

Article (78)

Sentencing for Multiple Offences

In the case of multiple offences, the judge shall inflict the penalties prescribed for each, subject to the provisions of the two previous articles, and the special provisions for multiple penalties shall be applied.

Part (4)

The Offender

Chapter (1)

Criminal Responsibility

Article (79)

Capacity of Conscience and Volition

Only persons who possess capacity of conscience and volition shall be held criminally responsible.

An act that is deemed an offence by law is not punishable if the offender did not have the capacity to be held criminally responsible at the time that the act was committed.

Article (80)

Juveniles of Less Than Eighteen Years of Age

A juvenile who has not attained the age of 14 years shall not be held criminally responsible, but the judge may take the necessary protective measures on his behalf if he has completed the age of seven years at the time of the commission of the act that is deemed an offence by law.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (81)

Juveniles between Fourteen and Eighteen Years of Age

A juvenile who at the time of commission of the offence has completed 14 years but has not completed the age of 18 years and has the capacity of conscience and volition may be held criminally responsible, but the penalty shall be reduced by two thirds.

If a juvenile who is criminally responsible commits an offence, the penalty for which is death or life imprisonment, then these penalties shall be commuted to a penalty of imprisonment of not less than five years and the sentence shall be served in a special establishment for criminally-responsible juveniles, where they will be subject to a special regime to educate and instruct them in such a manner as to ensure that they are reformed and qualified to become upstanding members of the community.

Article (150) shall apply to juveniles between the age of 14 and 18 years of age, if they are not responsible.

Article (82)

Duration of Shelter for Criminally-Responsible Minors

In the case set forth in the preceding article, the judge shall impose the minimum penalty and the sheltering shall continue until the juvenile effectively shows signs of reformation and suitability to become a useful member of the community.

The supervising judge shall immediately order the release of the juvenile when he is satisfied that the conditions set forth in the preceding article are fulfilled based on the opinion of the director of the special establishment and of the doctor responsible for the education of juveniles.

If the juvenile reaches the age of 18 before the expiration of his sentence or if after the period of the sentence expires, it is proved that he has reformed, then he shall be transferred to a special section of the same establishment. When the period for which the juvenile was sentenced ends, the supervising judge may substitute release under supervision for confinement.

Article (83)**Total Mental Incapacity**

No one shall be criminally responsible who at the time that the offence was committed was in a state of mental incapacity arising from an illness that caused him to lose the capacity of conscience and volition.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (84)**Partial Mental Incapacity**

Anyone who at the time he commits an act in a state of mental infirmity resulting from an illness that greatly reduces, but does not eliminate, his capacity of conscience and volition, is liable for any offence he commits.

However, in this case, the death penalty shall be replaced by imprisonment for not less than 10 years, and life imprisonment shall be replaced by imprisonment for not less than five years. Other penalties shall be reduced by two thirds.

Article (85)**Inapplicability of the Maximum Penalty**

If a state of partial mental incapacity exists whereby the responsibility is reduced under the preceding article, or in the case of chronic intoxication from the consumption of alcohol or of drugs, as well as in the case of deaf-mutes, such persons shall serve the period of the penalty in a special establishment, where they shall be placed under special care for suitable treatment.

The judge may only sentence the minimum duration of the penalty and it shall remain in effect until the psychological and mental condition of the offender permits him to be returned to the community.

In this case, the supervising judge shall order the release of the offender based upon the opinion of the director of the special establishment and of the psychologist attached thereto, with a requirement of supervision, if necessary.

Article (86)**Deaf-Mutes**

Deaf-mutes who due to their disability do not have the capacity of conscience and volition at the time of the commission of the offence shall not be held criminally responsible.

If the capacity of conscience and volition is severely but not completely impaired, then the provisions of the two previous articles shall be applied.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (87)**Drunkenness by Accident or Force Majeure**

No person shall be held criminally responsible who did not have the capacity of conscience and volition at the time of the commission of the offence due to complete drunkenness arising from an accident, force majeure or substances that were consumed unknowingly.

If the drunkenness was not complete but was such as to reduce severely, but not entirely, the capacity of conscience and volition then the offender shall be responsible and the penalty prescribed by law shall be inflicted with substitution or reduction as set forth in Article 84 of this Code.

Article (88)

Intentional Drunkenness

Criminal responsibility shall be neither acquitted nor reduced in the case of intentional drunkenness in order to commit an offence or to provide an excuse therefor. Instead, the penalty shall be increased by not more than one third.

Pursuant to Article (6) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (89)

Repealed.

Article (90)

Voluntary Drunkenness

Voluntary drunkenness shall neither acquit nor reduce the responsibility of the offender.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (91)

Commission of an Offence under the Influence of Narcotics

The provisions of Articles (87), (88), and (90) shall also apply when the offender commits the offence under the influence of narcotics.

Article (92)

Chronic Intoxication from Consumption of Alcohol or Narcotics

The provisions of Articles (83), (84), and (85) shall apply to offences committed in a state of chronic intoxication resulting from the consumption of alcohol and narcotics.

Article (93)

Making a Person Lose Sensibility toward Commission of a Crime

Anyone who puts another person into state of incapacity of conscience and volition in order to make him commit an offence shall be liable for the offence committed, and the penalty shall be increased by not more than one third.

Article (94)

Intentional Loss of Capacity and Volition

The provisions of the second paragraph of Article (79) shall not apply to anyone who intentionally causes himself to lose conscience and volition in order to commit an offence or to provide an excuse therefor.

Article (95)

States of Emotion or Passion

States of emotion or passion shall not relieve or reduce criminal responsibility.

Chapter (2) Recidivism

Pursuant to Article (6) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (96)

Any person is considered a recidivist who:

1. After being convicted of a crime, is later proved to have committed a crime or misdemeanour.
2. After being sentenced to detention for one year or more, is proved to have committed a misdemeanour before five years have passed from the date of expiration of the penalty, or from the date of its extinction by passage of time.
3. After being sentenced for a crime or misdemeanour to detention for a period of less than one year or to a fine, is proved to have committed an offence similar to the first offence before five years have passed from the date of the said sentence.
4. Repealed.

Crimes are considered in the criminal code if they share the same basic characteristics, whether with respect to the nature of the component acts or with respect to the motives that led to the crime, even if they do not violate a single law in particular.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain texts of the Penal Code:

Article (97)

In the cases of recidivism stipulated in the previous article, the penalty for the recidivist shall be increased by not more than one third.

If recidivism recurs, the penalty must be increased by not less than a quarter and not more than half. In all cases, the duration of imprisonment may not exceed 20 years.

Article (98)

Recidivism and Juveniles

The provisions on recidivism shall not apply to juveniles who have not reached the age of 18.

Chapter (3)

Participation of Multiple Persons in an Offence

Article (99)

Offenders and Their Punishment

Any person who commits the following shall be deemed an offender:

1. Anyone who commits the offence by himself or with another.
2. Anyone who participates in the commission of the offence, if it consists of a number of acts, and intentionally commits one of its component acts.

Each offender shall be subject to the penalty prescribed for the offence committed.

If conditions personal to one offender exist that require the characterisation of the offence or penalty to be changed in his respect, such circumstance shall have no effect with regard to the others if they did not know of these personal conditions. This shall also apply if the characterisation of the offence is changed with regards to the intention of the offender or his knowledge thereof.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (100)

Accessories

Any person who commits the following shall be deemed an accessory:

1. Anyone who incites the commission of the act constituting the offence, if such act is performed based on the incitement.
2. Anyone who gives the offender or offenders arms or other instruments of any kind used in the commission of the offence, with knowledge thereof, or assists the offender or offenders in any other manner in acts that prepare, facilitate or complete the commission of the offence.
3. Anyone who agrees with another person to commit an offence, and the offence is committed on the basis of this agreement.

Article (101)

Penalty for the Accessory

Every accessory to an offence shall be punished with the penalty prescribed for the offence, unless an exception is made by a special legal provision, and subject to the following qualifications:

1. The accessory is not affected by the conditions personal to the offender that alter the characterisation of the offence, if he was not aware of these personal conditions.
2. If due to the intention of the offender or his knowledge of the commission of the offence, the characterisation of the offence is changed, then the accessory shall be punished with the penalty prescribed for the offence as if the intention and knowledge of the offender was the intention and knowledge of the accessory.

Article (102)

Punishment of the Accessory in Lieu of the Offender

The accessory shall be punished in lieu of the offender if the offender is excused by valid reasons for exculpation, due to absence of criminal intent, or by reason of other circumstances particular to him. Nevertheless, the accessory shall be punished with the penalty prescribed for the offence by law.

Article (103)

Crime for which the Accessory is Punishable

Anyone who is an accessory to an offence is punishable with the penalty therefor, even if the offence was not the offence intended, provided that the offence that actually occurred was a normal and probable consequence of the incitement, agreement, or assistance that occurred.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (103) bis (a)

In cases where the law provides for exacerbation of the penalty for a plurality of offenders, the condition of plurality shall be fulfilled by the presence of an accessory in the commission of the offence.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (103) *bis* (b)

If all the accused, both principals and accessories, receive the same sentence for a single offence, fines shall be imposed on each of them separately, except for proportional fines, which they shall be jointly liable for.

Article (104)

Cooperation in Negligent Offences

In the case of negligent offences, when the event is caused by the cooperation of more than one persons, each of those persons shall be subject to the penalty for that offence.

Part (5)

Extinction of Offences and Expiration of Penalties

Chapter (1)

Extinction of the Offence

Article (105)

Death of the Accused before Conviction

The offence is extinguished if the accused dies before conviction.

Pursuant to Article (5) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (106)

General Amnesty

The offence shall be extinguished by the issue of a general amnesty therefor, and the principal and accessory penalties thereunder shall also be extinguished.

In the case of a plurality of offences, the effect of a general amnesty shall be limited to the offences for which it is issued and not the others.

The extinguishing of offences by general amnesty shall also be limited to the offences committed before the issue of the law for a general amnesty, unless another date is stipulated. A general amnesty shall not apply to recidivists who have been repeatedly convicted for similar offences, habitual or professional criminals, or deviants, unless the general amnesty law provides otherwise.

Article (107)

Extinction of Offences by Prescription

Felonies shall be extinguished once 10 years have passed from the day of the commission of the offence; a misdemeanour shall be extinguished after 3 years; and infractions shall be extinguished after one year, except if the law provides otherwise.

The validity of the time period after which offenses are extinguished shall not be suspended for any reason.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (108)

Interruption of the Prescriptive Period

The prescriptive period shall be interrupted by conviction, and by indictment, investigation, or trial procedures. It is also interrupted by a criminal warrant or by evidence-gathering procedures if they are taken against the accused or he is officially notified thereof. The prescriptive period shall run again starting from the day that it was interrupted. When more than one procedure interrupts the prescriptive period, then the period shall begin to run again from the date of the last procedure.

Article (109)

Where there are more than one accused, then the interruption of the prescriptive period with regards to one of them applies also to the others, even if procedures that interrupt the prescriptive period have not been taken against them.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (110)

Composition

Infractions may be compounded if the law does not stipulate detention as the mandatory penalty for the offence or any other penalty other than a fine or detention.

In cases where composition is permissible, it is the duty of the recording official to present the composition to the accused and to record the same in the record.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (111)

Elements of Legal Composition

The accused who wishes to compound the offence must pay to the treasury of the court, or any other public treasury, within 10 days from the day when the composition was presented to him, the amount of 50 dirhams, in cases where the law does not stipulate a penalty other than a fine, and 100 dirhams in cases where the law gives an option between the penalties of a fine or detention.

The infraction shall be extinguished upon payment of the composition amount.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (112)

Conditional Suspension of Sentences

When sentencing a penalty of detention for a period not exceeding one year or a fine, the court may order suspension of the penalty for a period of five years starting from the day that the sentence became final.

When sentencing a penalty of detention for a period of more than two years, the court may apply the previous paragraph to juveniles less than 18 years of age and persons over 70.

For the purposes of applying this provision to penalties for which no duration has been designated, the minimum penalty shall serve as the reference point, provided that the other elements required by law are satisfied.

Article (113)

When the Penalty May Be Suspended

An order to suspend the penalty shall not be made unless the court believes that the morals, past or age of the offender, or the circumstances in which the offence was committed lead to the belief that he will not commit other offences. The reasons for suspension shall be indicated in the sentence.

The suspension order shall not only suspend the principal penalty, but also the accessory penalties and any other penal effects arising from the conviction, unless the sentence stipulates otherwise.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (114)

Revocation of Suspension

The suspension order shall be revoked during the period prescribed in Article (112), any of the following occur:

1. If the offender commits a felony or a misdemeanour and is sentenced to a custodial penalty for a period exceeding one month.
2. If he is sentenced to a custodial penalty for a period exceeding one month for a felony or misdemeanour that was committed before the suspension order was issued.

Article (115)

Procedures for Revocation of Suspension

The suspension shall be revoked by the judge who issues the sentence in the subsequent case. If this judge neglects to do so, then based on the request of the public prosecution, the revocation shall be ordered by the Court that ordered the suspension, convened in chambers after summoning the offender to appear.

Article (116)

Effects of Revocation

The revocation of the suspension order shall entail the execution of the penalty inflicted and all the accessory penalties and penal effects that had been suspended.

Article (117)

Extinction of the Offence

If the suspension period expires and no revocation order has been issued, the offence shall be extinguished and the principal and accessory penalties may not be enforced.

Article (118)

Judicial Pardon for Juveniles

If a juvenile under 18 years of age commits an offence punishable by a custodial penalty exceeding two years or by a fine not exceeding 50 Libyan pounds or by both penalties, the judge

may grant him a judicial pardon if the conditions set forth in Article (113) of this Code are fulfilled. The offence shall be extinguished once the pardon order becomes final. Judicial pardon may not be granted to a juvenile who has previously been convicted of a felony, and pardon may not be granted more than once.

Chapter (2) **Extinction of the Penalty**

Article (119) **Death of the Offender**

The penalty shall be extinguished upon the death of the offender after he has been sentenced.

Article (120) **Extinction of the Penalty by Prescription**

The penalty for a felony shall be extinguished after the lapse of 20 years according to the Gregorian calendar, but the death penalty shall be extinguished after the lapse of 30 years. The penalty for a misdemeanour shall be extinguished after the lapse of five years. The penalty for an infraction shall be extinguished after the lapse of two years.

Article (121) **Commencement of the Prescriptive Period**

The prescriptive period shall begin once the sentence becomes final.

Article (122) **Interruption of the Prescriptive Period**

The prescriptive period shall be interrupted if the offender is arrested for a custodial penalty and if proceedings are instituted against him or are officially brought to his notice.

Except in the case of infractions, the period shall also be interrupted if during the period, the offender commits an offence of the same kind for which he was sentenced or a similar offence.

Article (123) **Stay of Operation of the Prescriptive Period**

Any impediment that prevents the execution of the penalty, whether legal or material, shall stay the operation of the prescriptive period.

Article (124) **Special Pardon**

A special pardon may extinguish the penalty either wholly or in part, or it may substitute for the penalty a lesser penalty prescribed by law. However, accessory penalties and any other penal effects arising from the conviction shall not be affected, unless the decree granting the special pardon provides otherwise.

Article (125) **Normal Effects of a Special Pardon**

Unless the decree provides otherwise:

1. The penalty of life imprisonment shall be substituted for the death penalty.
2. Release under supervision for a period of no less than five years shall be inflicted upon a convict sentenced to life imprisonment if his sentence is substituted or pardoned.

Pursuant to Article (3) of Law No. (18) of 1962 amending certain texts of the Code of Criminal Procedure and the Criminal Code:

Article (126)

Article (127)

Article (128)

Article (129)

Article (130)

Article (131)

Article (132)

Repealed.

Chapter (3)

General Provisions on the Extinction of Penalties and Offences

Article (133)

Effects of Extinction of the Offence and Penalty

Only the person to whom the extinction applies shall benefit therefrom, unless the law provides otherwise.

Article (134)

Accumulation of Circumstances for Extinction

Circumstances that extinguish the offence or penalty take effect from the moment that they occur.

If a circumstance that extinguishes the offence is combined with a circumstance that extinguishes the penalty, the circumstance that extinguishes the offence shall prevail even if it occurred subsequent to the circumstance that extinguishes the penalty.

If different circumstances occur at different times that extinguish the offence or the penalty, the first circumstance shall extinguish the offence or the penalty and the subsequent circumstances shall extinguish any effects of the conviction that have not already been extinguished by the first circumstance.

If more than one circumstance occur simultaneously, that which is more favourable to the offender shall take effect to extinguish the offence or the penalty. In this case, the provisions of the previous paragraph shall apply to the effects of the conviction if they have not all been extinguished by the most favourable circumstance.

Part (5)

Dangerous Criminal and Preventive Measures

Chapter (1)

Definitions and General Provisions

Article (135)

Criminal Danger

A dangerous person is someone who commits an act deemed an offence by the law and who, according to the circumstances set forth in Article (28), is likely to commit other acts deemed offences by the law, even though he may not be criminally liable or punishable therefor.

Danger shall be presumed under the conditions stipulated by the law.

Preventive measures under the law shall be applied to a dangerous person.

Pursuant to Article (5) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (136)

Special Types of Danger and Criminality

Special types of danger, such as habitual and professional criminals and deviants, shall be subject to special preventive measures as provided for by law.

Article (137)

Imposition of Preventive Measures

Preventive measures may only be imposed based on law and within the limits prescribed by law.

Article (138)

Alternation of Laws

Preventive measures shall be executed in accordance with the law in force at the time that they are ordered.

If the law in force at the time the measures are ordered differs from that in force at the time of execution, then the latter law shall be applied.

Article (139)

Proof of Danger

Preventive measures shall be applied when a person is proved or presumed to be a danger. Even if a person is presumed to be a danger by law, in the following circumstances, proof thereof is required for the purpose to applying preventive measures:

1. After 10 years from the day that the act was committed, if the person was of unsound mind, according to the conditions set forth in Article (149) of this Code.
2. After five years from the day that the act was committed, in all other cases.

Article (140)

Decision by the Judge to Adopt Preventive Measures

The judge shall give his decision to apply preventive measures in the same ruling in which he convicts or acquits.

Preventive measures may be ordered in another decision by the supervising judge in the following cases:

1. If a conviction is made during the execution of the penalty or while the convict has fled from execution of the penalty.
2. In the case of an acquittal, when the quality of social danger is presumed, and a period equal to the minimum term prescribed for the preventive measure has not elapsed.

Article (141)

Revocation of Personal Preventive Measures and Review of Danger

Personal preventive measures may not be revoked and measures against danger may not be reviewed so long as the danger remains.

When the minimum term prescribed by law for the preventive measure has elapsed, the judge shall review the case of the person who has been subjected thereto, and if it emerges that the person is still a danger, the judge shall determine an additional time period, after which his case shall be reviewed again.

Nevertheless, if the danger for which the preventive measures were applied comes to an end, a revocation order may be issued before the minimum period therefor prescribed by law elapses, or before the expiration of the additional period appointed for further review, even in cases where the law presumes that the person is a danger.

Article (142)

Effects of Extinction of the Offence and Penalty

The extinction of the offence shall exclude the application of preventive measures and terminate their execution. The extinction of the penalty shall also exclude the application of preventive measures, with the exception of those imposed as accessory measures to a sentence of imprisonment for a period exceeding 10 years.

Nevertheless, release under supervision for a period of not less than two years shall be substituted for custodial measures.

Article (143)

Execution of Preventive Measures

Preventive measures that are ordered in addition to a custodial penalty shall be executed after the sentence has been served or otherwise extinguished.

Preventive measures ordered in addition to a non-custodial penalty shall be executed after the sentence becomes final.

Chapter (2)

Personal Preventive Measures

Article (144)

Types of Personal Preventive Measures

Personal preventive measures are divided into two types: custodial and non-custodial. Custodial measures are the following:

1. Relegation to a place of confinement.
2. Treatment in a hospital for mental illness.
3. Treatment in a reformatory.

Non-custodial measures are the following:

1. Release under supervision.
2. Restriction of residence to one or more province or one or more district.
3. Prohibition from frequenting bars or public places where alcohol is consumed.
4. Deportation of a foreigner from the territory of the State.

Pursuant to Article (5) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (145)

Relegation to a Place of Confinement

The persons mentioned below shall be relegated to special places of confinement:

1. Habitual and professional criminals or deviants.
2. Those previously decided to be habitual or professional criminals or deviants, who were relieved of previous preventive measures and then intentionally committed a new offence of the same kind, which is considered further evidence of their habitual or professional criminality or deviancy.
3. Anyone has not met the conditions required by law to consider him a habitual or professional criminal or deviant, but who shows severe danger that indicates that it will be of no use to place him under supervision or impose a guarantee of good conduct. In this case, the period of confinement shall be no less than one year.

Article (146)

Habitual Commission of Felonies and Misdemeanours

If a person has been previously sentenced for two felonies or two misdemeanours that were intentionally committed and he is sentenced again for a felony or misdemeanour that was intentionally committed, and if it appears from the nature of the offence committed, the danger therein, the time that it was committed, and the conduct and manner of life of the offender, or from other circumstances set forth in Article (28), Paragraph (2) of this Code that the offender is dedicated to crime, then the judge may decide that the offender shall be considered an habitual criminal and order that he be sent to a special place of confinement for a period of not less than two years, after the period of the penalty imposed upon him comes to an end.

Article (147)

Professional Criminality

Anyone who satisfies the conditions to be declared an habitual criminal and is convicted of another offence shall be declared to be a professional criminal if the judge considers that from the nature and type of the offences, the manner of life of the offender, and the other circumstances specified in Article (28), Paragraph (2), it is to be presumed that the offender is living habitually, even in part, on the proceeds of crime.

In this case, the period of confinement shall be no less than three years.

Pursuant to Article (5) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (148)

Deviant Criminality against Persons

Anyone who, with trivial motives, base reasons, harshness or savagery, commits a felony against the life or safety of another person that is punishable by a custodial penalty of not less than five years shall be considered a deviant criminal, even if he is not a recidivist or a habitual or professional criminal. Such person shall be sent to a place of confinement to remain there for a period of no less than four years.

Article (149)

Treatment in a Hospital for Mental Illnesses

In the event that the accused is acquitted due to mental infirmity or chronic intoxication by alcohol or drugs or because he is a deaf-mute, the treatment of the accused shall always be ordered to be in a hospital for mental illness for a period of no less than two years, provided that the act committed was not an infraction, negligent misdemeanour, or other offence, the

punishment for which prescribed by law is a fine or custodial penalty for which the maximum period does not exceed two years.

If the penalty prescribed by law for the act is death or life imprisonment, then the period of treatment in the hospital for mental illness shall be no less than 10 years, and the period thereof shall be at least five years if the minimum penalty for the offence prescribed by law is 10 years, but this provision as to the minimum period of care does not preclude the application of the last paragraph of Article 141 of this Code.

An order for treatment in a hospital for mental illness shall postpone the execution of any custodial penalty.

The provisions of this article shall apply to juveniles who are not deemed criminally responsible if any of the conditions set forth in the first paragraph of this article are satisfied.

Article (150)

Housing of Juveniles in a Legal Reformatory

Housing in a legal reformatory is one of the special preventive measures for juveniles who are deemed criminally responsible. The period of treatment shall be no less than one year.

Article (151)

Juveniles Who Cannot Be Criminally Prosecuted

If a juvenile under the age of 14 years commits an act deemed an intentional felony or misdemeanour by law and the juvenile is dangerous, the judge, after taking into account the gravity of the act and the social conditions of the juvenile's family, shall order that the juvenile be treated in a legal reformatory or that he be released under supervision. Order for supervision shall only be made if it is possible to execute the order by handing the juvenile over to his parents or to those charged with his education and care, or by handing him over to a social assistance institution.

The previous provisions shall also apply to a juvenile who has completed 14 years of age but who has not completed the 18 years, if it is proved that he did not have the capacity of conscience and volition at the time of the commission of the act deemed an offence by the law, which shall render him to be not criminally liable. If during the period of supervision, it appears that it is doubtful whether the offender is being reformed, then treatment in a reformatory shall be substituted for release with supervision.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (151) bis (a)

If under Article (151), the juvenile is handed over to someone other than his parents or those charged with his upkeep, the judge shall compel all or some of his expenses to be borne by whoever is assigned his upkeep by law, even if he is manifestly wealthy.

If the juvenile has money, the judge shall order for all or part of his expenses to be collected from his money. In either case, the judge shall determine the amount and dates of payment.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (151) *bis* (b)

If the juvenile is ordered to be handed over to his parents or to others who are charged with his education and care under Article (151), and the juvenile commits an offence within one year from the date of the order to hand him over, the party to whom he was handed over shall be fined an amount not exceeding 50 LYD, if the second offence is a felony, and a fine not exceeding 20 LYD, if it is a misdemeanour.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (152)

Circumstances Where Release under Supervision May be Imposed

Release under supervision may be imposed:

1. When a sentence of imprisonment or detention for a period exceeding one year is inflicted.
2. In circumstances where the judge considers that it is not appropriate to impose security for good conduct after the conclusion of the period of housing in a place of confinement.
3. In other circumstances stipulated by law.

Article (153)

Circumstance Where Release under Supervision is Mandatory

Release under supervision shall always be imposed in the following circumstances:

1. When a penalty of imprisonment for a period of not less than 10 years is inflicted. In this case, the period of supervision shall be not less than 2 years.
2. When the offender is granted conditional release.
3. In other cases stipulated by law.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (153) *bis*

The duration of release under supervision shall be no less than one year, unless the law stipulates otherwise, notwithstanding Article (151) with regards to the supervision of juveniles.

Pursuant to Article (16) of the Law of 1955 organising the situation under police oversight:

Article (154)

Repealed.

Pursuant to Article (16) of the Law of 1955 organising the situation under police oversight:

Article (155)

Repealed.

Article (156)

Restriction of Residence

Any person who is provided to have committed an offence against the State or against public security, or an offence caused by social or moral conditions found a certain place may be

restricted with regards to residence to one or more directorates, or to any other administrative district as determined by the judge.

The period of restriction shall be no less than one year.

If the conditions of residence are broken, the minimum period of the restriction shall be reset and additionally, supervision of the offender may be ordered.

Article (157)

Prohibition from Frequenting Bars or Public Places where Alcohol is Served

Prohibition from frequenting bars or public places where alcohol is served shall be for a period of no less than one year.

This prohibition shall be ordered with the penalty in all cases where the offender is an alcoholic or where the offence was committed in a state of intoxication, and it is proved that the offender is an alcoholic.

If the person sentenced to such prohibition violates the order, then in addition to the prohibition order, he may be placed under supervision or required to provide security for good behaviour.

Article (158)

Deportation of Foreigners from Libyan Territory

The judge shall order the deportation of any foreigner sentenced to imprisonment for a period of not less than 10 years. Foreigners may also be deported under circumstances stipulated by law.

Laws pertaining to the violation of deportation orders issued by the administrative authorities shall be applied to any foreigner who violates a deportation order.

Chapter (3)

Financial Preventive Measures

Article (159)

Definition and General Provisions

The definition and general provisions for financial preventive measures are as follows:

1. Security for good behaviour.
2. Confiscation.

With regards to confiscation, the provisions of the last paragraph of Article (135), Article (139), Paragraph (2) of Article (140), and Article (143) shall not be applied.

Article (141) shall be applied to security for good behaviour.

Article (160)

Security for Good Behaviour

Security for good behaviour shall be submitted by depositing an amount of money in the treasury of the office for the collection of fines and costs, provided that the sum is no less than 20 Libyan pounds and does not exceed 300 Libyan pounds.

Instead of a deposit, a security by mortgage or joint bond may be provided.

The period of security shall not be less than one year and not more than five years starting from the day that the security is provided.

Article (161)

Violation of the Security Order

If the security or bond is not provided, the judge may substitute for the security an order for release under supervision.

Article (162)

Satisfaction or Breach of Good Behaviour

If during the period of the measure for security, the person subjected thereto does not commit any intentional felony or misdemeanour, it shall be ordered to return the sum deposited, cancel the mortgage or terminate the bond.

In any other case, the sum deposited or provided as a security shall revert to the State Treasury.

Article (163)

Required Confiscation

Confiscation of the following items shall always be required:

1. Items obtained or acquired by the offence for which a conviction or judicial pardon has been issued, unless the owner thereof personally had no part in the offence.
2. Items that the manufacture, use, carrying, possession, or disposition thereof is deemed an offence in itself, even if no conviction is handed down.

Article (164)

Permissible Confiscation

Upon sentence to a penalty or in the case of judicial pardon, the following items may be confiscated:

1. Items used or prepared for the commission of the offence;
2. Items that the manufacture, use, carrying, possession, or disposition thereof is deemed an offence, unless the relevant license from the administrative authorities exists.

The preceding provisions of this article shall not apply where the owner personally had no part in the offence.

Book (2)

Felonies and Misdemeanours against the Public Interest

Part (1)

Felonies and Misdemeanours against the Personality of the State

Chapter (1)

Felonies and Misdemeanours Detrimental to the Entity of the State

Article (165)

Bearing of Arms by Libyans against the State

Any Libyan who bears arms against Libya or who in any manner joins the armed forces of a State at war with Libya shall be punished by death.

Anyone who is in the territory of an enemy state and commits an act to which he is compelled by an obligation imposed on him by the laws of that state shall not be subject to punishment.

Article (166)

Plotting with a Foreign State to Make War on Libya

Anyone who gives information to a foreign state, to one of its officials or to any person acting in the interests thereof, or who plots with the said state or with the aforementioned persons, with the objective that the said state may make war or carry out aggression against Libya shall be punished by death, whether the objective sought is achieved or not.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain articles of the Penal Code:

Article (167)

Plotting with Foreigners to the Detriment of Libya's Military or Political Status

Anyone who in time of peace, plots with a foreign state or with any of its officials with the intent to cause detriment to the military, political or diplomatic status of Libya shall be punished by imprisonment.

The same penalty shall be applied to anyone who wilfully destroys, conceals, or fabricates documents that he knows may be used to establish the rights of the Libyan Arab Republic before a foreign state.

If the aforementioned offences are committed during time of war, or if the offender is a public official or delegate on a public mission, or a person to whom the government has entrusted any mission whatsoever, the penalty shall be life imprisonment.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (168)

Recruitment against a Foreign State

Anyone who, without permission from the government, recruits troops against a foreign state or conducts any other hostile acts that could expose the Libyan State to the danger of war, shall be punished by imprisonment.

If as the result of the act, diplomatic relations are severed, or if the hostile act causes the Libyan Arab Republic or its citizens, wherever they are, to be exposed to retaliation, then the penalty be life imprisonment. If war breaks out, the offender shall be punished by death.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (169)

Bribery by a Foreigner

If a Libyan obtains, even indirectly, money or any other benefit or the promise thereof from a foreigner with the intent to perform actions to the detriment of the national interest, he shall be punished by imprisonment and by fine between 100 and 1000 Libyan, if the act is committed in time of peace.

If the offence is committed in time of war, the punishment shall be life imprisonment. If detriment actually results, the penalty shall be death.

The foreigner who provides the money or other benefits or who promises the same shall be punished by the same penalty.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (170)

Acts Prejudicial to the Territory of the State and Facilitation of War against It

Anyone who facilitates the entry of the enemy into the country or who surrenders thereto cities, fortresses, establishments or sites, ports, stores, arms factories, ships or airplanes used in the defence of the country or prepared therefor, or means of transport, arms, ammunition, or materials of war, provisions, or food, or who assists the enemy with troops, money, or services, or conveys to them information or acts as a guide, or who incites Libyans, whether soldiers or civilians, to desert to the enemy, or in general assists the advance of enemy forces by inciting strife or by provoking fear among defence forces or civilians, or prevents the armed forces from communicating with one another in encountering the enemy, or undermines the loyalty of the national forces of the country, or in any other manner, shall be punished by death.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (171)

Disclosure of State Security Secrets to Agents of Foreign Governments of Obtaining the Same for the Purpose of Espionage

Anyone who, gives to a foreign government, one of its agents or to anyone acting in its interest in any manner or by any means, secrets pertaining to the defence of the country or any similar secret shall be punished with death.

Anyone who obtains secrets of this nature by any means, with the intent to disclose the same directly or indirectly to a foreign government, or anyone who for the benefit of a foreign state, destroys or renders useless, either wholly or in part, such secrets shall be punished by the same penalty.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (172)

Infiltration of Military Areas and Undue Possession of Means of Espionage

The following shall be punished by imprisonment:

1. Anyone who trespasses clandestinely or fraudulently in any place or area on land, sea, or air, to which access is prohibited in order to preserve the military interests of the State.
2. Anyone who is found in any such place or area, or in proximity thereto, with means of espionage in his possession without legal justification.
3. Anyone who is found in undue possession of papers, documents, or any other items intended for the purpose of supplying information pertaining to the safety of the country or any other information deemed to be of such a nature by law.

If any act set forth above is committed in time of war, then the penalty shall be life imprisonment. If the enemy benefits from such act, the penalty shall be death.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (173)

Obtaining Secret Intelligence Pertaining to Defence of the Country and Similar Secrets

The following shall be punished by imprisonment or a fine between 500 and 1,000 Libya dinars:

1. Anyone who by means of fraud obtains secret intelligence pertaining to the defence of the country, but for another purpose than to disclose the same to a foreign state, or to one of its agents, or to any person acting in the interests thereof.
2. Anyone who arranges or uses any means of wired or wireless communication or the like with the purpose of obtaining intelligence pertaining to the defence of the country or the like, or to communicate the same for a purpose other than espionage.

The penalty shall be life imprisonment if the act is committed in time of war.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (174)

Circulation of Defence Secrets

Anyone who circulates secret information pertaining to the defence of the country or the like by any means shall be punished with imprisonment and a fine between 500 and 1,000 Libyan dinars.

If the offender is a public official, possesses a general representative capacity, is a delegate on a public mission, or is a person to whom the government has entrusted an assignment, or if the offence is detrimental to military preparations for the defence of the country, the penalty shall be life imprisonment.

The penalty shall be death if committed in time of war.

Article (175)

Inciting Political Defeatism

Anyone who intentionally circulates news, information or rumours that are false, biased or provocative propaganda in time of war, and are such as to cause harm to the military preparations for defence of the country, sow terror among the people or to undermine the resilience of the nation shall be punished by the penalties prescribed by Article (173) of this Code.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (176)

Inciting Military Defeatism

Anyone who incites soldiers to disobey laws, violate the oath they have sworn, or breach their military discipline or military duties, or incites them to approve of acts in violation of the laws, their oaths, their discipline, or to any other military duties, shall be punished by life imprisonment.

The offender shall be punished by death if he commits the offence in time of war.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (177)

Inciting Economic Defeatism

Anyone who, in time of war, uses a means to cause detriment to the exchange rate or to influence the public or private financial securities market in such a way as to endanger the country's ability to resist the enemy shall be punished by imprisonment for no less than five years and a fine between 500 and 1,000 Libyan dinars.

The penalty shall be life imprisonment if the offence is committed as a result of espionage with the enemy.

The penalty shall be death if it actually endanger the country's ability to resist the enemy.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (178)

Activity of Libyans Abroad against the Interests of the State

Any Libyan abroad who disseminates or reports rumours or information which are false, exaggerated, or provoke concern about the internal condition of the Libyan Arab Republic in such a manner as to diminish its reputation or credit abroad, or who in any way acts in such a manner as to injure the national interests shall be punished with a penalty of life imprisonment.

Article (179)

Sabotage or Destruction of Military Facilities

Anyone who intentionally destroys or renders useless any arms, ships, airplanes, works, establishments, means of transportation, facilities, supplies, or food that are used for the defence of the country, or anything that may be considered as such, or intentionally undermines the manufacture of said items with the object of rendering them unfit for the purpose of use in defence, to endanger the lives of those within them or of those entrusted to use them, or so that an accident results shall be punished by the penalty of life imprisonment.

If the offence is committed in time of war, the penalty shall be death.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (180)

Failure to Perform Supply Obligations to the Government or Fraud Therein

Anyone who, in time of war, intentionally fails to perform all or part of any obligation for supply or public works in which the government is a party, and which is for the purpose to meet the needs of the army or civilians, or anyone who commits fraud in or intentionally delays the performance of his obligations under a contract of the kind aforesaid shall be punished by imprisonment and a fine from LYD 1,000 to 5,000. Subcontractors shall be subject to the same penalty in the event they fail to perform, commit fraud in, or delay any of the aforesaid obligations.

If the failure to perform the obligation results from negligence whether wholly or in part, then the penalty shall be reduced by no more than half.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (181)

Purchase of Arms or Supplies that Are Unfit for Use

Anyone who, by virtue of his position, is entrusted to purchase arms, ammunition, or supplies to equip the army and who purchases or recommends the purchase of arms or supplies knowing that they are not fit for the purpose for which they are procured or that they put lives in danger shall be punished by a penalty of life imprisonment.

If as the result of the offence one person dies, or two persons or more persons suffer serious harm, or if the offence is committed in time of war, the penalty shall be death.

Article (182)

Exploitation of State Secrets

If a public official, for his own benefit or for the benefit of another, uses any scientific discoveries or inventions, or industrial innovations, and he is aware, by virtue of his position or service that the same is required to remain secret in the interest of State security, he shall be punished by a penalty of imprisonment for a period of no less than five years and of a fine of not less than LYD 200.

If the act is committed in the interest of a State that is at war with Libya or if it undermines the military preparations or competency of the State or with military operations, then the penalty shall be death.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (183)

Treason against State Affairs

Anyone who is entrusted by the State to negotiate abroad on its behalf and who betrays that trust shall be punished by a penalty of life imprisonment if it is probable that this act may entail harm to the national interest.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (184)

Facilitation of the Aforementioned Crimes

The following offences shall be subject to the same penalty as prescribed under Articles (165), (166), (168), (170), (171), (174), (176), (179), (181), and (211):

1. Anyone who is aware of the intention of a person to commit, or attempt to commit, any of the said offences, and who assists the said person by providing him sustenance, housing, shelter or a place for assembly, or any other aid.
2. Anyone who conceals items or instruments that are used or prepared for use in the commission of the said offences, or the items, materials, or documents obtained by the offence, and is aware thereof.

3. Anyone who bears messages of the person who commits or attempts to commit any of the said offences, or facilitates in any manner, the search for and concealment of the object of the offence, or transports or reports the same, and he is aware thereof in either case.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (185)

Facilitation of the Aforementioned Crimes by Negligence

Anyone who facilitates through negligence the commission of any of the offences set forth by the articles referred to in the preceding article shall be punished by a penalty of detention for a period of no more than one year or by a fine not exceeding LYD 500, or by both of these penalties.

If the offence is committed in time of war, the penalty shall be detention for a period of no more than two years and a fine not exceeding LYD 1,000.

Article (186)

Failure to Report the Offences of Article (184)

Anyone who is aware of the commission of or attempt to commit any of the acts mentioned in the provisions of Article (184), who is not an accomplice in the preparation therefor, and does not notify the administrative or judicial authorities when he becomes aware of same, shall be punished by the penalties set forth in the previous article.

Article (187)

Certain Conditions for Exemption from Punishment

Anyone who notifies the administrative or judicial authorities of the offence before the attempt to execute any act thereof shall be exempted from the penalties prescribed for the offences mentioned in this Part.

If the notification is given after the commission or attempt of the offence, but before the investigation has begun, the informer may be exempted from the penalty.

An offender may also be exempted from the penalties who, after the investigation has begun, enables the arrest of the offenders and their accomplices in the same offence or one similar thereto in kind and gravity.

Article (188)

Disclosure of Investigation Secrets

Anyone who discloses information pertaining to investigations or inquiries into one of the offences set forth under this Part shall be punished by the penalties set forth by Article (185). The penalty shall be increased by no more than double if the offence is committed by someone who has knowledge of such information by virtue of his position or while he is entrusted with public duties.

Article (189)

Interpretation

In application of the provisions of this Part:

1. A Libyan who has lost his nationality in order to avoid the duty of loyalty to his country shall remain a Libyan.
2. The expression "the country" shall refer to the territory over which Libya has sovereignty and authority.
3. "Secrets of the country's defence" shall refer to the items, documents, data or information which in the interests of the country's defence should not be known by anyone other than those entrusted therewith.
4. Items, documents and information which, by an order of the competent governmental authority, are considered secret or which, although in themselves they are not secret, the disclosure thereof might lead to the revelation of secrets pertaining to the defence of the country, shall be deemed as "secrets of the country's defence."
5. The period during which the danger of war is imminent shall be deemed as a state of war if, in fact, war actually ensues thereafter.
6. If an offence provided for in this Part is committed in time of war against an ally of Libya, the said offence shall be deemed as falling under the offences committed against the State of Libya.
7. The expression "state at war with Libya" shall include political organisations that deal with the states at war, even if they are not recognized as states.

Chapter (2)

Felonies and Misdemeanours Detrimental to the Internal Security of the State

Pursuant to Article (2) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (190)

Article (191)

Article (192)

Article (193)

Article (194)

Repealed.

Pursuant to Article (1) of Law No. (5) of 2014 amending Article (195) of the Penal Code:

Article (195)

Insulting Constitutional Authorities

Without prejudice to any more severe penalty stipulated by law, anyone who makes any statement that insults the 17 February Revolution shall be punished by imprisonment.

Anyone who publicly insults the legislative, executive, or judicial bodies or any of their members during or because of the performance of their functions, or insults the emblem or flag of the country, shall be punished by the same penalty.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (196)

Attack on the Constitution

Anyone who, by force or in any other unconstitutional manner, attempts to modify the constitution or the form of government shall be punished by death.

Pursuant to Article (8) of Law No. (48) of 1956 amending and repealing certain provisions of the Penal Code:

Article (197)

Use of Explosives in the Commission of the Preceding Offence

Anyone who uses bombs or other explosives with the intention of committing the offence set forth in the preceding article for the purpose of political assassination shall be punished by death.

Anyone who manufactures, imports from abroad, or obtains bombs, dynamite or other explosives with the intention of committing the preceding offence shall be punished by imprisonment for a period of not less than five years.

The expression "explosives" shall include any substance that forms part of the composition of explosives, as well as the equipment, instruments, tools and articles used in the manufacture or detonation of explosives.

Pursuant to Article (8) of Law No. (48) of 1956 amending and repealing certain provisions of the Penal Code:

Article (198)

Destruction of Government Buildings, Warehouses, Supplies or Property

Anyone who intentionally destroys buildings, warehouses, supplies, or other property of the government shall be punished by life imprisonment or by imprisonment for a period of not less than five years.

Pursuant to Article (1) of Law No. (15) of 2002 adding an article to the Penal Code:

Article (198) bis

Anyone who commits an act of rioting, protesting, or inciting chaos during or because of the practice of sports activities, whether inside or outside of sports stadiums shall be punished by detention. If such act results in damage to destruction or buildings or property owned by the State, a public or private legal person, or individuals, the penalty shall be imprisonment and a fine equivalent to four times the value of the damage caused. If grave damage to life or property results from the act, the penalty shall be death.

Article (199)

Unlawful Seizure or Retention of Military Leadership

Anyone who, for a criminal purpose, assumes the leadership of a division or unit of the army, division of the fleet, ship or aircraft, military point, or a port, or city, not being assigned to do so by the government, or without any other lawful reason, shall be punished by death. Furthermore, anyone who remains in any position of military leadership against the order of the government issued to him and any head of a military force who keeps his troops under arms or assembled after the government has issued its order to him to disband them.

Article (200)

Use of Forces Contrary to Government Orders

Anyone who is entrusted with authority over the soldiers of the army or personnel of the police force and who requests from them or assigns them to do acts delaying the execution of the orders of the government with regards to their recruitment or service shall be punished with a penalty of imprisonment for a period of no less than three years. If such order or assignment results in delay in the execution of the orders of the government due to the obedience of the personnel to the unlawful request or assignment, the penalty shall be death.

Superiors and leaders of forces who are of a lower rank and who obey the unlawful orders shall be punished by a penalty of imprisonment for a period of no less than three years.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (201)

Use of Force against State Authorities

Anyone who plans or participates in armed insurrection against State authorities shall be punished by death, even if the arms designated for this purpose are placed in a warehouse, provided that they are prepared for use in said insurrection.

Article (202)

Destruction, Rapine, and Massacre

Anyone who, for the purpose of assaulting the security of the State, commits an act within the territory of the State that aims to cause destruction, rapine or massacre, shall be punishable by death.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (203)

Civil War

Anyone who commits an act for the purpose of inciting civil war in the country, fracturing national unity, or dividing citizens of the Libyan Arab Republic shall be punished by a penalty of death.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (204)

Attacks on Constitutional Authorities

Anyone who commits an act that aims to prevent, whether wholly or in part, the Head of State, the popular authority, or the government from practicing their activities or exercising their authorities that are legally entrusted in them, even temporarily, shall be punished by death.

Pursuant to Article (1) of Law No. (48) of 1956 amending and repealing certain provisions of the Penal Code:

Article (205)

Insulting the Nation and Its Symbols

Anyone who publicly insults the Libyan nation, its national flag or State Emblem shall be punished with imprisonment for a period not exceeding three years.

For the purposes of criminal law, the expression "national flag" shall include the official State flag and every other flag bearing the national colours.

The provisions of this Article shall also apply to whoever publicly insults the colours that collectively represent the national flag.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (206)

Unlawful Organisations and Formations

Anyone who promotes, founds, organises, funds, or directs any assembly, organisation or formation prohibited by law, or allocates a location for its meetings; anyone who joins or incites the same in any manner, provides any assistance therefor; anyone who receives or obtains directly or indirectly in any manner money or benefits of any type from any person or entity with the purpose of establishing a prohibited assembly, organisation, or formation or prepare therefor, shall be punished with the penalty of death. In application of the penalty, the superior and subordinate shall be deemed equivalent, regardless of his rank in the assembly, organisation, formation or the like, and regardless of whether the assembly is located domestically or abroad.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (207)

Promotion of Any Act against the System of the State

Anyone who circulates within the country, by any means, any views or principles that aim to alter fundamental constitutional principles, or the fundamental structures of the social order, or to overthrow the political, social, or economic order of the State, or to destroy the fundamental structures of the social order, by the use of force, terror or any other unlawful means, shall be punished by death.

Anyone who possesses books, leaflets, drawings, slogans, or any other items with the purpose of advocating the said acts, or who advocates them in any other way.

Anyone who receives or acquires, directly, through an intermediary, or any other way, money or benefits of any type from any person or entity, domestically or abroad, if such is for the purpose of promoting any of the acts set forth in this article, shall be punished by life imprisonment.

Pursuant to Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (208)

Formation of or Joining Non-Political International Associations without Permission

Anyone who, within the country, without permission from the government or with a license derived from false or deficient statements, establishes, founds, organises, or directs

associations, bodies, or organisations of a non-political international character, or branches thereof, shall be punished by a penalty of detention.

Anyone who joins the above-mentioned associations, bodies, or organisations shall be punished by detention for a period not exceeding three months and a fine not exceeding LYD 200. Any Libyan living within the country who, in whatever manner, without the permission of the government, joins or takes part in any of these organisation whose headquarters is abroad.

Pursuant to Article (2) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (209)

Repealed.

Pursuant to Article (2) of Law of 1959 amending certain provisions of the Penal Code:

Article (209) *bis*

Intensification of Penalties for Public Servants

The maximum penalty stipulated in the four preceding articles shall be increased by one-third if the offense is committed by a public servant.

Pursuant to Article (1) of Law of 1959 amending certain provisions of the Penal Code, and Article (1) of Law No. (2) of 1961 amending Article (1) of the decree-law amending certain provisions of the Penal Code:

Article (210)

Accessory Penalties

Upon conviction under the circumstances set forth in Articles (206) and (208), the Court shall order the dissolution of the aforesaid formations and the closure of their headquarters.

In the other circumstances set forth in the five preceding articles, the Court shall, upon pronouncing the sentence, order the confiscation of money, goods, documents and other items used by the offenders for the commission of the offence or obtained by them in any manner as the result thereof.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code, and Article (1) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (211)

Agreement to Commit Offences and Form Associations and Gangs Therefor

If several persons agree to commit any of the intentional offences set forth in Chapters (1) and (2) of this Part, for which this Code imposes death, life imprisonment or imprisonment as a penalty, or form, establish, or organise an association or armed or unarmed gang to commit any of these offences, each person taking part in the said agreement, association, or gang shall be punishable by the penalty prescribed for the offence agreed upon, even if the offence was not committed. In application of the penalty, any person who caused the agreement or created, founded, organised, or headed the association or gang, or who took part in the agreement, association, or gang, shall receive equivalent treatment.

Pursuant to Article (2) of Law No. (80) of 1975 amending and repealing certain provisions of the Penal Code:

Article (212)

Article (213)

Article (214)

Repealed.

Article (215)

Exemption from Punishment in Circumstances of Conspiracy

In the circumstances set forth in Articles (211) and (212) of this Code, the following persons shall not be punishable:

1. Any person who in any manner dissolves or causes the dissolution of the association.
2. Any person who withdraws from the conspiracy or association and is not the leader or founder thereof, before the commission of the offence agreed to be committed or for which the association was formed, or before the members of the association have been arrested or before the commencement of proceedings against them.

Likewise, no one shall be punishable who prevents the execution of the offence agreed upon or for which the association was formed.

Article (216)

Exemption from Punishment in Circumstances of Gangs

In the circumstances set forth in Articles (213) and (214) of this Code, the following persons shall be exempt from punishment:

1. Anyone who dissolves or causes the dissolution of the gang.
2. Anyone who withdraws from the gang, surrenders without resistance or surrenders his arms or abandons them, and is not the leader or promoter of the gang.

It is required that these acts shall be done before the offence is committed for which the gang was formed and before any orders are issued by the public authorities or armed forces of the State or immediately afterwards. Furthermore, no penalty shall be imposed upon anyone who prevents the offence from being carried out for which the gang was established.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (217)

Attack on the Political Rights of Citizens

Anyone who prevents another person, either wholly or in part, from the exercise of a political right by violence, threats, or by deceit, shall be punished by detention. The same penalty shall be inflicted on anyone who induces another to exercise that right in a manner that is contrary to his will.

Chapter (3)

Felonies and Misdemeanours against Foreign States

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (218)

Attack on the Heads of Foreign States

Anyone who attacks the life or safety of the head of a foreign state, or makes a serious attack within Libyan territory shall be punished by life imprisonment if the attack is on life, and by detention for a period of no less than five years in the other aforementioned circumstances. If the attack results in death, the offender shall be punished by the penalty of death if the attack was upon life and by the penalty of life imprisonment in the other aforementioned circumstances.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (219)

Attack on the Liberty of Heads of Foreign States

Anyone who, within Libyan territory, makes an attack upon the liberty of the head of a foreign state under conditions not set forth in the previous article shall be punished by imprisonment for a period of between three and ten years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (220)

Offence to the Dignity of the Heads of Foreign States

Anyone who publicly attacks the dignity or prestige of the head of a foreign state when he is within Libyan territory shall be punished by a penalty of imprisonment for a period not exceeding five years.

Article (221)

Attack on Representatives of Foreign States

The provisions of the three previous articles shall also apply if the acts are committed against representatives of foreign states accredited to the government of Libya as heads of diplomatic missions due to or during the exercise of their duties.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (222)

Attack against or Flag or Emblem of a Foreign State

Anyone who, within Libyan territory, in a public place or a place open to all, insults the official flag or emblem of a foreign state while it is being used in accordance with Libyan law shall be punished by detention.

The same penalty shall be inflicted if the insult is to the flag or emblem of the United Nations, League of Arab States, or any other international body for which a decision is issued by the Ministry of Foreign Affairs.

Article (223)

Conditions of Reciprocity

The provisions of Articles (218), (219), (220), (221) and (222) of this Code shall only apply if the law of the foreign state gives equivalent penal protection on the basis of reciprocity.

The heads of diplomatic missions shall be entitled to penal protection in accordance with Article (221) only if the foreign state that they represent gives equivalent penal protection to the heads of Libyan diplomatic missions.

If no such reciprocal provisions exist, then the general provisions of the Criminal Code shall apply.

Chapter (4)

General Provisions on the Previous Chapters

Pursuant to Article (1) of Law No. (80) of 1975 amending certain provisions of the Penal Code:

Article (224)

Permission to Institute and Request Proceedings

Proceedings may not be instituted without the permission of the Minister of Justice in the case of the offences set forth in Articles (191), (192), (193) and (194) of this Code.

In the case of the offences set forth in Articles (219) and (220) and in Article (221) with regard to aforementioned articles, and also in the case of the offence set forth in Article (222), no proceedings may be instituted except at the request of the Minister of Justice.

Article (225)

Deportation

If a foreigner is sentenced to a custodial penalty for any of the offences set forth in this Part, he shall be deported from the State.

Part (2)

Offences against the Public Administration

Chapter (1)

Offences Committed by Public Officials against the Public Administration

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (226)

Bribery

Any public official who requests, accepts, or takes for himself or for another a gift or promise of anything to which he is not entitled, whether money or any other benefit, for the purpose of doing or refraining from an act, or misleadingly construes or claims that they are among the functions of his position or to violate his duties, even if he does not intend to commit or refrain from such act or violate his duties, or if the public official accepts a gift for a function of his position that he has performed, shall be punished by imprisonment for a period not exceeding five years and a fine equivalent to the gift received or promised.

The same penalty shall be applied to the briber and anyone who intentionally acts as an intermediary between the person who offers the bribe and the person who receives the bribes.

Article (227)

Acts Considered Bribery

It shall be legally deemed bribery if any public official acquires for himself or for another a gift or promise of any gift or favor:

1. To acquire or attempt to acquire from any public authority obligations, licenses, supply or contracting agreements, positions, services, ranks, decorations or any other remuneration or benefit.
2. To use or attempt to use the real or alleged influence of his public position to obtain business, orders, rulings, or decisions from any administrative or judicial authority.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (227) *bis*

If the purpose of the bribe is to commit an act for which the law prescribes a more severe penalty than the penalty prescribed for bribery, the penalty prescribed for the act shall be imposed along with the fine prescribed for bribery.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (228)

Increased Penalty for Bribery

If the act set forth in Articles (226) and (227), results in a sentence of life imprisonment or imprisonment, the penalty shall be imprisonment for a period of no less than six years and a fine of no less than LYD 200.

If the result of the act is a death sentence, then the penalty shall be life imprisonment.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (228) *bis*

The briber or intermediary shall be exempted from the penalty if he notifies the authorities of the offence before it occurs and before any proceeding is initiated. If the notification takes place after proceedings are initiated, it must lead to the conviction of the offenders.

Pursuant to Article (1) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (229)

Offer of Bribery

Anyone who offers to a public official a gift or promise to which the said public official is not entitled, whether money or any other benefit, in order to induce him to perform any function of his position or act contrary to his duties, or to refrain from or delay the same, and said official does not accept the offer, the person offering the bribe shall be punished with imprisonment.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (229) *bis* (a)

Any person who takes or accept a gift or benefit with the purpose of knowingly delivering the same to another for this reason shall be punished with detention for a period not exceeding one year and a fine of no less than LYD 20 and not exceeding LYD 100, if he had not been an intermediate arranging the bribe.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (229) *bis* (b)

Any employee who requests, accepts, or takes for himself or another a promise or gift without the knowledge or approval of his employer for the purpose of performing or refraining from a function which he is assigned shall be punished by detention.

Pursuant to Article (1) of Law No. (73) of 1975 amending certain provisions of the Penal Code, and Article (39) of Law No. (2) of 1979 on economic crimes:

Article (229) *bis* (c)

Repealed.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (230)

Embezzlement of Public and Private Property

Any public official who, by virtue of his position, service or profession has in his possession money or any other movable property of the Public Administration or of the members thereof, and who embezzles the same or claims the ownership thereof or attributes the ownership to another, shall be punished with imprisonment for a period not exceeding ten years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (231)

Extortion

Any official who abuses his position or the functions thereof and compels or induces another to give him or promise to give him or another money or any other benefit to which he has not entitled shall be punished with imprisonment for a period not exceeding 12 years and a fine between LYD 200 and 800.

The penalty shall be detention for a period of not less than six years if the public official receives the item to which he is not entitled by taking advantage of the error of another.

Pursuant to Article (1) of Law No. (73) of 1975 amending certain provisions of the Penal Code, and Article (39) of Law No. (2) of 1979 on economic crimes:

Article (231) *bis* (a)

Article (231) *bis* (b)

Repealed.

Article (232)

Defrauding the Public Administration

Any public official entrusted with an act and who employs a number of persons less than the number of persons he was required to employ but who claims that he has employed the full number required, and thereby obtains for himself the amount allocated to pay the said persons in terms of salary or wages, or anyone who records in government accounts, or in the accounts of any other public body, the names of persons employed by him for personal affairs, so that he may pay their salaries or expenses from State funds or from the funds of the public body, shall be punished with imprisonment of between one and five years and by a fine equal to double the amount that he has fraudulently obtained.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (233)

Exploitation of Office for Private Benefit

Any public official who obtains for himself, either directly or by any other manner, or by various acts, any benefit from any of the public administration functions by which he exercises his office, shall be punished by a penalty of detention for no less than six months.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (234)

Abuse of Office that is Detrimental to the Interest of Public Administration or the Judiciary

Any public official who abuses the authority of his office in order to stay the execution of orders issued by the government, or laws or regulations in force, or to delay the collection of legally prescribed monies or fees or the execution of any court ruling or order, or any order issued by the competent authority shall be punished by detention and removal from office.

The same penalty shall be imposed on any public official who intentionally refrains from executing a ruling or order of the foregoing after ten days have passed from his being warned by a bailiff, if the execution of the order or ruling enters within his competences.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (235)

Abuse of Authority in Cases Not Provided for by Law

Any public official who abuses the powers of his office for the benefit of another or to the detriment of another and there is no other applicable criminal text in the law, he shall be punished with detention for a period of no less than six months.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (236)

Disclosing the Secrets of a Public Office

Any public official who violates the duties of his office, or abuses the same by disclosing official information that is required to remain secret, or who by any means facilitates the disclosure thereof shall be punished by a penalty of detention for no less than six months.

Article (237)

Dereliction of or Refusal to Perform a Duty

Any public official who unduly refuses to perform any of his official functions or neglects or delays the same shall be punished by a penalty of detention for a period not exceeding one year or by a fine not exceeding LYD 200.

If the public official is a judge or a member of the Public Prosecution, he shall be considered as refusing, neglecting, or delaying when the necessary legal conditions for civil litigation against him exist, the penalty shall be doubled in his case.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (238)

Abandonment of an Office, Public Service or Employment by Insubordination

If three or more public officials, or the officials or employees of public facilities abandon their offices, positions, or functions, or perform the same in such a manner as to affect the continuity or regularity thereof, based on agreement or out of a desire to achieve a common purpose, each of them shall be punished by imprisonment for a period of between three months and one year and by a fine not exceeding LYD 100.

The maximum penalty shall be doubled if the abandonment or dereliction to perform their duty is such as to endanger the lives, health, or security of the people, or to cause disturbance or strife among people, or cause detriment to the public interest.

Any public official who abandons his office or refuses to perform any of the duties of his office with the intention of obstructing the continuity or disturbing the regularity thereof shall be punished by detention for a period not exceeding six months or by a fine not exceeding LYD 50.

The maximum penalty shall be doubled if the abandonment or refusal actually results in the disturbances stipulated in the second paragraph of this article.

Article (239)

Incitement and Encouragement of Insubordination

Anyone who takes part in the commission of any of the offences set forth in the previous article by way of incitement shall be punished by double the penalty prescribed therein.

Anyone who induces, incites, or encourages any public official in any manner to abandon his function or to refuse from performing the duties of his office, and if the incitement or encouragement does not lead to any result, shall be punished by the penalties prescribed by the first paragraph of the said article.

Anyone who encourages any of the offences set forth by the third and fourth paragraphs of Article (238), or who circulates untrue or false news by any public means shall be punished by the same penalty.

In addition to the preceding penalties, if the offender is a public official, he shall be sentenced to deprivation from public office.

Article (240)

Attack upon the Liberty of Public Officials and Employees in their Positions

Anyone who by the use of force, violence, terror, or threats, or by any unlawful means as set forth in Article (359) of this Code, attacks or attempts to attack the rights of public officials in their function shall be punished by the penalty prescribed in Article (238), Paragraph (2).

Article (241)

Concealment of Items Seized or Distrained, or Their Destruction or Dissipation

Anyone, whether a public official or not, who embezzles, conceals, destroys, dissipates, or damages any item that is judicially or administratively distrained or seized, for which he has been entrusted the guardianship thereof, and his sole intention in doing the said acts is to assist the owner thereof, shall be punished by detention for a period of no less than six months and a fine of between LYD 10 and 50.

The owner of the item, if the guardianship thereof is entrusted thereto, if he commits any of the preceding acts, shall be punished by a penalty of detention for a period of from three months to two years and a fine of from LYD 5 to 15.

The penalty shall be detention for a period not exceeding one year or a fine not exceeding LYD 25 if the offence is committed by the owner of the thing when that thing is not entrusted to his guardianship.

Article (242)

Negligent Attack on the Duties Pertaining to the Guardianship of Items Seized or Distrained

Anyone who, whether a public official or not, who has the possession of an item that has been judicially or administratively seized or distrained negligently causes its destruction or dissipation or facilitates the concealment or embezzlement thereof shall be punished by detention for a period not exceeding six months or by a fine not exceeding LYD 20.

Pursuant to Article (2) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (243)

Interference with the Liberty of Auctions

Any public official or other person who interferes with a public auction, public sale or tender, or with a sale conducted by persons on behalf of the Public Administration by means of violence or threats, or by way of gifts, promises, or collusion or by any other means detrimental to the natural course of the proceedings or with intent to defraud, shall be punished by detention and a fine between LYD 10 and 50.

If the offender is a person appointed by law or by the Public Authorities to conduct the public auction, tender or sale, the penalty shall be imprisonment from three to five years and a fine between LYD 25 and 100.

If the interference targets a private sale that is conducted in the interest of individuals under the supervision of a public official or any other person entrusted therewith by law, the penalties set forth in the first paragraph shall be applied.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (244)

Examination, Destruction and Disclosure of Correspondence

Any public official subordinate to the postal, telephone, or telegraph department who conceals, halts, or delays correspondence or who, upon examining the same, discloses its content to another shall be punished by detention for no less than six month.

In this article, "correspondence" shall refer to letters, telephone conversations, telegrams, and any other means of communication.

If the aforementioned acts are committed by other persons, the penalty shall be detention for no more than six months or a fine not exceeding LYD 20, based on a complaint by the injured party.

Chapter (2)

Felonies and Misdemeanours Committed by Persons against the Public Administration

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (245)

Contempt of Public Officials and Judicial Officers and Bodies

Anyone who insults a public official, or disparages his dignity, during or because of the performance his position, either by gestures, speech, or threats, or by means of telegraph, telephone, documents, or drawings addressed to him, shall be punished by detention for a period not exceeding one year.

The penalty shall be increased by no more than one half if the attack is directed against a judicial officer during pleadings, or against any member of a judicial or administrative body during the time that the said body is convened.

The penalty shall be detention if the attack is directed against the honour or dignity of the judicial or administrative body when the said body is convened.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (246)

Use of Force or Threats against Public Officials

Anyone who uses force or threats against any public official to compel him to commit an act that violates the functions of his position or the service assigned to him or to induce him to refuse to perform his legal duty shall be punished by detention for no less than six months.

If the act committed is limited to merely compelling any of the aforementioned persons to perform an act pertaining to his position or the service assigned thereto or to influence his performance of his functions or service in any way, the penalty shall be detention.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (247)

Resisting a Public Official

Anyone who, by force or threat, resists any security personnel or any other public official while he is performing the duties of his position shall be punished by detention for a period not exceeding two years.

The same penalty shall apply to anyone who uses force or threat against anyone who provides assistance upon request by the aforementioned persons.

If the act is accompanied by beating or any wound results therefrom, the penalty shall be detention.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (248)

Use of Force or Threat against an Administrative or Judicial Body

If the acts provided for by the two previous articles are committed against an administrative or judicial body, the penalty shall be detention for a period of no less than one year.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (249)

Aggravating Circumstances

The penalty prescribed by the three preceding articles shall be increased by no more than one half, if the force or threats are used by means of arms, a masked person, a number of persons assembled, an unsigned or unmarked letter, or by terrorism issuing from secret associations, whether real or fake.

If the force or threats are used by five or more persons assembled and involves the use of arms, even if only one of those persons undertakes the force or threat, or if the number of persons exceeds ten, even without the use of arms, in the circumstances provided for by Article (246), Paragraph (1) and by Articles (247) and (248), the penalty shall be imprisonment for a period not exceeding ten years.

In the circumstance set forth in Article (246), Paragraph (2), the imprisonment shall be for a period not exceeding five years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (250)

Usurpation of Capacities or Offices

Anyone who usurps the functions of a public office, whether civil or military, or performs or practices the requirements thereof without having official capacity or permission from the government, shall be punished by detention for a period not exceeding two years.

The same penalty shall apply to a public official who continues to perform his office or to practice the requirements thereof after he has been notified of his removal or suspension. The sentence issued shall be published in the newspapers.

Article (251) **Undue Practice of Professions**

Anyone who unduly practices any profession that requires special permission from the State shall be punished by detention for a period not exceeding six months or by a fine of between LYD 20 and 100.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (252) **Breaking of Seals**

Anyone who breaks any seal affixed to safeguard any place or to prove its location, or for the protection of papers or any other goods, based on a legal procedure or by the administrative or judicial authorities, shall be punished by detention not exceeding one year.

The penalty shall be increased by no more than double if the offender was among those entrusted with the guardianship of the item safeguarded by seal.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (253) **Negligent Facilitation of Breaking of Seals**

Anyone who is entrusted with the guardianship of any sealed item and by his negligence facilitates the breaking of the seals or makes it possible shall be punished by a penalty of a fine not exceeding LYD 50.

If the seals were affixed to the documents or goods of a person accused in a felony or convicted of a felony, the guardian responsible for the neglect shall be punished by detention for a period not exceeding one year.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (254) **Assault on Items in Custody**

Anyone who embezzles, damages, dissipates, or corrupts the object of an offence, or exhibits, documents, records, or any other moveable property concerning the Public Administration, which was being kept in a public office or delivered to a person legally ordered to have custody thereof, shall be punished by detention for a period of no less than one year, unless the acts constitute a more serious offence. The penalty shall be imprisonment for a period not exceeding six year if the offence is committed by a public official who was entrusted with said movables.

Article (255)**Negligent Facilitation of the Offence**

If the commission of the offence provided for in the previous article is connected to the negligence of the custodian such that caused or facilitated the commission of the offence, the said custodian shall be punished by a penalty of a fine from LYD 50 to 150.

Article (256)**Use of Force**

If the breaking of seals, or embezzlement or destruction of the documents or other items is accompanied by the use of force against the person entrusted with their custody or with whom they are deposited, the offender shall be punished by imprisonment for a period between three and ten years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (257)**Claiming Influence**

Anyone who claims to have influence with a public official and takes for himself or another, or induces another to give him or another, money or other benefit or obtains a promise thereof in return for his mediation with the said public official, shall be punished by detention and by a fine between LYD 30 and 100.

Anyone who takes for himself or another money or another benefit or obtains a promise thereof on the pretext that it is required to use said money or benefit to gain sympathy and compensation from the public official shall be punished by the same penalty.

Part (3)**Offences Committed against the Judiciary****Chapter (1)****Offences against the Actions of the Judicial Authority**

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (258)**Failure to Report Information**

If, during or because of the exercise of his duties, a public official becomes aware of the occurrence of an offence, in whose regard it is necessary to initiate proceedings without waiting for a complaint from the injured party, or neglects or delays to inform the competent authorities, he shall be punished by detention for a period not exceeding one year or by a fine of between LYD 10 and 50.

The penalty shall be imprisonment not exceeding two years if the act pertains to a felony the penalty for which is death, life imprisonment, or imprisonment whose maximum duration is no less than 10 years.

The penalty shall be detention if the act is committed by a judicial officer, regardless of how he becomes aware of the offence.

The same penalty shall apply to judicial officers or other officials responsible for the receipt of complaints or for service of process if they neglect or delay in referring the matter to the competent authority.

Anyone who commits the act by due to the necessity to save himself or one of his relatives from grave harm to his liberty or honour shall not be subject to punishment.

Article (259)

Failure to Submit Medical Report

Anyone who, by virtue of being a medical professional, provides aid under circumstances which indicate that an offence has been committed in regard of which it is necessary to initiate proceeding without waiting for the complaint of the injured party, and who neglects or delays to report to the competent authority shall be punished by a fine not exceeding LYD 50.

This provision shall not apply if notification would expose the person who provides the assistance to any criminal process, nor shall it apply in the circumstance set forth in the last paragraph of the previous article.

Article (260)

Refusal to Perform a Legal Requirement

Anyone who is appointed by the judicial authority as an expert, interpreter, or custodian of any items subject to judicial restraint and fraudulently obtains exemption from the obligation to appear or to perform the duties of his office shall be punishable by detention for a period not exceeding six months or by a fine between LYD 10 and 50.

The same penalty shall be applied to anyone who is summoned before the judicial authority to perform any of the aforementioned functions, refuses to offer personal information about himself, take the required oath or to assume or functions to which he is entrusted.

The previous provisions shall apply to a person summoned to testify before the judicial authority and to any other person summoned to perform a judicial function.

If the offender is an expert or an interpreter, the conviction shall entail interdiction from the profession or trade.

Article (261)

Fabrication of an Offence

Anyone who makes to the competent authority a false complaint or report of the occurrence of an act deemed an offence by law, or who fabricates the evidence of an offence in such a way as to allow the initiation of any criminal proceeding to determine the truth of the matter, even if the complaint or report is by unsigned letter or under an assumed name, shall be punished by a penalty of detention from one year to three years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (262)

False Accusation

Anyone who, even by unsigned letter or under an assumed name, accuses another of an act deemed an offence by law, knowing that the person he accuses is innocent, or who fabricates against such person evidence of an offence in such a manner as to allow the initiation of criminal

proceedings against the person who is falsely accused if the accusation or fabrication is made before the competent authority shall be punished by detention.

The penalty shall be increased by no more than one half if the accusation is of an offence punishable by death, life imprisonment, or the penalty for which is imprisonment exceeding ten years.

The penalty shall be imprisonment for a period not exceeding five years if the accusation or the fabrication alone results in a sentence of imprisonment exceeding five years. If the sentence is life imprisonment, the penalty be imprisonment for a period not exceeding ten years.

The penalty shall be life imprisonment if the sentence is death.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (263)

False Accusation against Oneself

Anyone who falsely accuses himself of an act deemed an offence by law, even if the accusation is made by means of an unsigned letter, under an assumed name or by a confession before the judicial authority, if done in such a manner that criminal proceedings may be instituted based thereon, shall be punishable by a penalty of imprisonment for a period not exceeding two years.

No penalty shall be imposed under the circumstances set forth in the last paragraph of Article (258).

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (264)

Fabrication or False Accusation in Infractions

If the fabrication or false accusation relates to an act deemed by law an infraction, the penalty shall be detention for a period not exceeding one month or a fine not exceeding LYD 10.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (265)

False Oath

Anyone who is a party to a civil case and swears a false oath shall be punished by a penalty of detention not exceeding two years. A fine not exceeding LYD 100 may be added to the detention.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (266)

False Testimony

Anyone who gives testimony before the judiciary and conceals, denies, or fails to disclose, whether in whole or in part, what he knows of the facts on which he is questioned shall be punished by detention for a period not exceeding two years.

If the false testimony results in a sentence of imprisonment not exceeding five years, the penalty shall be detention. If the sentence issued is imprisonment exceeding five years, the penalty shall be imprisonment for a period not exceeding seven years.

If the false testimony results in a sentence of life imprisonment, the penalty shall be imprisonment.

The penalty shall be life imprisonment if the false testimony results in a sentence of death.

Article (267)

Falsification by Experts and Interpreters

Anyone who is appointed by the judicial authority as an expert or as an interpreter in a civil, criminal, or administrative case, and intentionally gives a false opinion or an incorrect translation or affirms facts that do not correspond to the truth, shall be punished by the penalty prescribed in Article (266) on false testimony.

The sentence, in addition to interdiction from public office, shall also bar the offender from practice of the profession or trade.

Article (268)

Warning and Other Circumstances Barring Punishment

In the circumstances set forth in Articles (266) and (267), the offender shall not be subject to punishment if he retracts his falsification or reveals the truth during the course of the investigation in which he practiced his profession and before the investigation concludes with a dismissal, before the conclusion of the trial or its adjournment due to the said falsification.

If the false evidence is given in a civil or administrative case, the offender shall not be subject to punishment if he retracts he recants or reveals the truth before a final ruling is issued in the case, even if the ruling is not decisive.

The penalty shall also not apply if the act is committed by a person who by law is not required to appear as a witness, expert or interpreter or who is required to be warned that he has the right to refuse to provide testimony, provide his opinion or to interpret.

Likewise, no penalty shall apply under the circumstances provided for by the last paragraph of Article (258).

Article (269)

Bribery of a Witness or an Expert

Anyone who offers a gift of money, or any other benefit, or promises the same to a witness, expert, or interpreter, even if such takes place before the said witness, expert, or interpreter assumes that capacity, for the purpose of inducing him to give false testimony or to give an incorrect opinion or false interpretation, and the offer, or other benefit, or promise is not accepted, shall be punished by the penalties set forth in Articles (266) and (267), with a reduction by between one half and two thirds.

The same penalty shall apply if the gift or promise is accepted and the false testimony or evidence is not given.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (270)**Facilitation of Escape from Justice**

Anyone who, after the occurrence of a felony or misdemeanour, gives assistance to a person suspected of being the perpetrator, or assists a person under arrest or a fugitive from prison to conceal himself from the pursuit of the authorities, or who misleads the current investigation with regards to that person by harbouring him, or by destroying evidence of the offence, or by giving false information, or by any other means, shall be punished by the following penalties. If the offence that was committed or on which basis the offender was arrested or imprisoned is punishable by death or life imprisonment, the penalty shall be detention.

If the offence is punishable by imprisonment, the penalty shall be detention for a period not exceeding two years.

In all other circumstances, the penalty shall be detention for a period not exceeding one year, provided that it does not exceed the maximum penalty for the offence itself.

The provisions of this article shall apply even if the person providing assistance is not responsible or is proven to have not committed the offence.

The penalty shall not apply if the act was committed to assist a relative.

Pursuant to Article (6) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (271)

Repealed.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (272)**Facilitation of Infractions**

If any of the acts set forth in the previous article pertains to an infraction, the offender shall be punished by a fine not exceeding LYD 2.

Article (273)**Insulting Judges**

Anyone who publicly and during the course of the trial injures the stature, prestige, or authority of a judge shall be punished by detention not exceeding six months and by a fine not exceeding LYD 50, or by either of those two penalties.

The provisions of this article shall not prejudice special provisions relating to insulting judges during hearings.

Article (274)**Influencing the Course of a Case**

The penalties prescribed by the previous article shall apply to anyone from whom any acts or publications, written or printed, are issued that are such as to influence the judges entrusted with the adjudication of cases brought before any judicial body in the country or before any judicial authority, prosecutor or other officials entrusted with investigation, or are such as to

influence witnesses called to give testimony in such cases or investigations, or concerning matters that are such as to prevent a person from revealing first-hand information in the matter, or influence public opinion in favour of or against a party in the case or investigation.

If the purpose of the act is to cause the said influence, the penalty shall be detention for a period not exceeding one year and a fine of no less than LYD 20 and not exceeding LYD 100, or either of the said two penalties.

Pursuant to Article (1) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (275)

Bad Faith in Legal Representatives and Technical Advisors

Any attorney or legal representative or technical advisor who is unfaithful in the conduct of his professional duty to the detriment of the party he defends, assists, or represents before the judiciary, or who provides his services to both parties in the same case at the same time, even if such is by means of another person, shall be punished by a penalty of detention from six months to three years and of a fine of between LYD 20 and 100.

The penalty shall be increased by no more than one third if the offence is committed to the detriment of an accused person; the penalty shall be doubled if the offence is committed to the detriment of a person accused of a felony punishable by death, life imprisonment, or imprisonment for a period exceeding five years.

Any attorney, legal representative or technical advisor who, after having defended, counselled, or represented one party, and without that party's consent and in the same case, defends or provides counsel to the other party, shall be punished by detention for a period not exceeding one year and a fine not exceeding LYD 50.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (276)

Legal Representative Claiming to Have Influence

Any attorney or legal representative who falsely claims to have influence with a judge, member of the prosecution, witness, or an expert or interpreter, and on such basis takes for himself or another money or any other benefit or receives any promise therefor, in consideration for his claim to obtain the assistance of one of the aforementioned persons, and also if he claims that it is necessary to compensate them, shall be punished by a penalty of detention for a period of no less than six months and a fine of no less than LYD 50.

Chapter (2)

Offences against Judicial Proceedings

Article (277)

Escape

Anyone who is lawfully arrested and then escapes shall be punished by a penalty of detention for a period not exceeding six months or a fine not exceeding LYD 20.

If an order for the arrest of the accused has been issued or he has been sentenced to detention or to a more severe penalty, he shall be punished by a penalty of detention for a period not exceeding two years or a fine not exceeding LYD 100.

The penalties shall accumulate if the escape that occurs under either of the two preceding conditions is accompanied by force or by the commission of another offence.

Pursuant to Article (6) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (278)

Negligence of Custodian

Any person assigned to have the custody of an arrestee or to accompany him or to transfer him, and who by negligence allows the said person to escape, shall be punished by a penalty of detention not exceeding two years or a fine not exceeding LYD 50 if the arrestee who escaped was sentenced for or accused of a felony.

Under other circumstances, the penalty shall be detention for a period not exceeding six months or a fine not exceeding LYD 20.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (279)

Assistance by a Custodian of an Arrestee in Escape or Facilitation Thereof

Any person assigned to have the custody of an arrestee or to accompany him, or to transfer him and who assists or facilitates the escape of that person or who overlooks the same, shall be punished by a penalty of detention of no less than six months.

If the arrestee was under a sentence of death or life imprisonment or was accused of a felony punishable by either of those two penalties, the penalty shall be imprisonment for a period not exceeding seven years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (280)

Assistance by Other of an Arrestee in Escape or Facilitation Thereof

Anyone who enables an arrestee to escape, assists him to escape or facilitates his escape under conditions other than those set forth above shall be punished in accordance with the following provisions:

If the arrestee was under a sentence of death or of life imprisonment or was accused of a felony punishable by either of those two penalties, the penalty shall be imprisonment for a period not exceeding seven years.

In other circumstances, the penalty shall be detention.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (281)

Insurrection by Arrestee and Prisoners

If ten or more prisoners, or persons who have been lawfully arrested, openly revolt collectively or use force or incite other arrestees or prisoners to revolt or to cause strife in any way, they shall be punished by a penalty of detention for no less than one year if they reject or refuse to obey a warning given to them to return to order.

If for the purpose of committing the offence, circumstances of a temporary, local, or personal nature are exploited such that the maintenance of order is hindered or prevented, the penalty shall be increased by no more than one half.

The penalty shall be imprisonment for a period not exceeding five years for whoever leads, organises, or heads the insurrection.

Article (282)

Violation of Accessory Penalties

Anyone who receives a sentence that entails one of the accessory penalties set forth in Articles (33), (35) and (37) of this Code and occupies an office or exercises a power or authority from which he is barred by law as the result of the sentence, shall be punished by a penalty of detention for a period not exceeding one year or a fine not exceeding LYD 50.

Pursuant to Article (1) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (283)

Preparation to Escape from Preventive Custodial Measures and Facilitation Thereof

Anyone who enables a person sentenced to a preventive custodial measure to escape therefrom, facilitates said escape, conceals him in any way, or assists him to evade arrest by the authorities that are searching for him, shall be punished by detention for a period not exceeding two years.

If the escape is a result of the negligence of anyone who by virtue of his office has the custody, even temporarily, of the person so sentenced, then the custodian shall be punished by a fine not exceeding LYD 50.

If gain is the object of the act, then the judge may add to the penalty a fine not exceeding LYD 100.

Article (284)

Disclosing Information Pertaining to a Secret Criminal Proceeding

Anyone who, by means of a newspaper, or by any other means of publicity, discloses information about a criminal case that is being heard secretly or discloses the contents of documents or papers relating to the investigation of a case which is required to remain secret by law, shall be punished by detention for a period not exceeding one year and of a fine of between LYD 20 and LYD 100.

This provision shall not apply to documents and grounds relating to the investigation that are subsequently provided in the course of public discussion, and in general, this provision shall not apply to other documents of criminal judicial proceedings after the lapse of thirty years from the adjudication thereof, or before the expiration of that time, if the Minister of Justice explicitly permits the publication thereof.

In the conditions set forth by the first paragraph of this article, no penalty shall be inflicted for the mere announcement of the case or for the publication of the sentence therein only.

Article (285)

Expansion of Applicability of the Previous Article

In cases other than those to which the provisions of the previous article apply, the courts, taking into consideration the facts of the case and in order to preserve public order or decency, may prohibit the publication by any means of publicity of the proceedings of the case or of all or some of the rulings therein and whoever contravenes the said prohibition shall be punished by detention for a period not exceeding one year and a fine of no less than LYD 20 and not exceeding LYD 100 or by either of those two penalties.

Article (286)

Disclosure of Secret Deliberations and False Publication

The penalty prescribed by the previous article shall apply to anyone who publishes by any means of publicity the secret deliberations of the courts or to anyone who publishes falsely and with malicious intention what has occurred in open hearings of the courts.

Chapter (3)

Arbitrary Enforcement of Rights

Article (287)

Enforcement of Rights by Oneself

Anyone who is able to have recourse to the judicial authorities to obtain a claimed right, and who seizes that right by his own hand through the use of violence against objects shall be punished by a fine not exceeding LYD 100.

The offender shall be punished by detention for a period not exceeding one year if the act is accompanied by threats or the use of violence against persons.

If threats or violence against persons is accompanied by violence against objects, both the aforementioned penalties shall be applied.

Proceedings shall only be instituted upon a complaint by the injured party.

Article (288)

Aggravating Circumstances

In the circumstances referred to in the previous article, the penalties shall be increased by no more than one third:

1. If the offence is committed after recourse to the judicial authorities and before the judgement is pronounced.
2. If the use of violence or threats against persons is accompanied by arms.

Part (4)

Offences against Religion, Recognised Religious Rites and the Sanctity of the Dead

Article (289)

Interference with the Performance of Religious Rites and Insulting Sacred Things

Anyone who interferes with the performance of a religious rite that is publicly performed or with the relevant religious celebration, or who hinders the same by violence or threats, shall be punished by detention for a period not exceeding one year or a fine not exceeding LYD 50.

The same penalty shall apply to anyone who destroys, breaks, damages, or desecrates buildings designated for the performance of religious rites, or other items that are sacred to members of a religious sect or to any section of the country's inhabitants.

Article (290)

Attack upon Religions

The penalty prescribed by the previous article shall apply to anyone who attacks, by any means of publicity, any religious faith that publicly performs its rites. The following shall fall under the provisions of this article:

1. Printing or publishing a book considered sacred by any religious sect that performs its rites publicly, if the text of the book is intentionally distorted so as to give the same a different meaning.
2. Imitation of a religious ceremony or religious rite in a public assembly for the purpose of ridicule or amusing the public.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (291)

Insulting the State Religion

Anyone who publicly attacks the Islamic religion, which is the official religion of the State according to the Constitution of Libya, through expressions that are inappropriate for God, prophets, or messengers, shall be punished by a penalty of detention for a period not exceeding two years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (292)

Insulting the Dead and Desecration of Tombs

Anyone who violates the sanctity of tombs or cemeteries, or who desecrates or disrupts funeral rites, shall be punished by detention for a period not exceeding one year or a fine not exceeding LYD 50.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (293)

Destruction, Damage, or Theft of a Corpse

Anyone who mutilates, destroys, or damages part of a corpse or disperses the remains thereof shall be punished by detention.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (294)

Concealment of Corpses

Anyone who conceals a corpse or part thereof, conceals the remains thereof, or who buries the same without notifying the competent authority and thus causing a search and investigation in its regard, shall be punished by detention.

Article (295)

Dissection of Corpses

Anyone who, for instructional or scientific purposes, in situations not authorised by law, takes, dissects, or uses in any other way a corpse shall be punished by detention for a period not exceeding one year or a fine not exceeding LYD 50, or by both penalties.

Part (5)

Crimes against Public Safety

Chapter (1)

Violent Offences that Constitute a Public Danger

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (296)

Massacre

Anyone who, with the intention to kill, commits acts that do not undermine the safety of the State but endanger public safety, shall be punished by imprisonment for a period of no less than ten years.

If the act results in the death of one or more persons, the penalty shall be death.

If the act results in the injury of one or more persons, the provisions pertaining to plurality of offences shall be applied.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (297)

Arson

Anyone who intentionally sets fire to the property of another shall be punished by imprisonment for a period not exceeding seven years.

Anyone who sets fire to his own property, if the acts results in setting fire to the property of another or endangers public safety, shall be punished by imprisonment for a period not exceeding five years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (298)

Disasters

Anyone who endangers public safety by causing a flood, wrecking, foundering, or sinking a ship or any other floating device, or causing the crash of an aircraft, an accident on the railroad,

the collapse of a building, or the occurrence of any other disaster, shall be punished by imprisonment from three to ten years.

In the case of the sinking or foundering of a ship or the crashing of an aircraft, or the occurrence of an accident on the railroad, the penalty shall be increased by no more than one third if the offence is committed by the destruction of lamps or other signals or by removing the same, concealing them or using misleading signals or any other means of deception.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (299)

Disasters and Dangers Arising from Injurious Acts

1. Anyone who starts a fire in his own property or in the property of another, if such act threatens the property of another with fire or another disaster, shall be punished by detention for a period of no less than six months.
2. The same penalty shall apply to anyone who damages or destroys any facilities dedicated to the collection or disposal of water, or facilities built to avoid danger from water, prevent the inundation of the earth, or who causes it to flow unsafely, if the act was committed with the intention of causing harm and the risk of a disaster results therefrom.
3. If the acts stipulated in either of the previous paragraphs result in a fire or any other disaster, then the penalty shall be imprisonment for a period not exceeding seven years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (300)

Aggravating Circumstances

The penalties prescribed in Articles (297) and (299) shall be increased by no more than half, if the act is committed against any of the following buildings or facilities:

1. Public buildings, buildings designated for public use, houses of worship, monuments, tombs and their appurtenances, forests or woods.
2. Inhabited buildings, or buildings designated for habitation, factories, workyards, quarries, mines, canals, facilities for the distribution of water or similar structures for the purpose of collecting or disposing of water.
3. Ships or other floating structures, or airplanes.
4. Railroad stations, shipping harbours, airstrips, public warehouses, warehouses storing goods, granaries, cereal stacks, or warehouses storing explosives, flammable materials or fuels.

Pursuant to Article (2) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (301)

Attacks on Public Safety

Notwithstanding the provisions of the previous articles, a penalty of imprisonment of from three to five years shall be inflicted on anyone who endangers the safety of public means of transport or disturbs communications, or causes their interruption or obstruction, or who commits an act endangering facilities or other means designated for the production or distribution of electric power or gas for lighting or industry, if, as the result of the act, public safety is endangered.

The same penalty shall apply to anyone commits an act that aims to destroy a building or part thereof or to cause any other disaster, if as a result of the act the public safety is endangered.

Anyone who throws hard objects or projectiles at public transport vehicles while they are moving shall be punished by detention for a period not exceeding two years.

In criminal law, the expression "means of transport" shall include transport by land, sea, and air, and the expression "communications" shall include telephones, telegraphs, wireless, television, and radar.

Pursuant to Article (2) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (302)

Obstructing the Defence of Public Safety

Anyone who, when a fire or disaster occurs, removes, conceals, or destroys the means prepared for the extinguishing of fires or any of the means for preventing disasters, or for rescue or aid, shall be punished by imprisonment from three to seven years.

The same penalty shall apply to anyone who delays or in any way prevents the extinguishing of a fire, or the provision of assistance or prevention measures.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (303)

Removal of Means of Protection against Work Injuries

Anyone who intentionally omits to place in position the means, equipment or signs designated for the avoidance of work disasters or injuries shall be punished by detention for no less than six months. The same penalty shall apply to anyone who removes or destroys the said means, equipment, or signs.

If a disaster or injury occurs as the result of the act, the penalty shall be imprisonment for a period not exceeding five years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (304)

Surreptitious Transportation of Explosives and the Like

Anyone who, in violation of regulations pertaining to transport, transports explosives or inflammable materials in railroad trains or any other passenger vehicles shall be punished by detention and a fine not exceeding LYD 100 or by either of those two penalties.

The competent employee who grants permission in violation of regulations shall be subject to the same penalty.

Chapter (2)

Fraudulent Offences Committed against Public Safety

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (305)
Epidemic Diseases

Anyone who causes an epidemic by propagating harmful germs shall be punished by imprisonment for a period of no less than ten years.

If as the result of the act one person dies, the penalty shall be life imprisonment. If more than one person dies, the penalty shall be death.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (306)
Poisoning of Water and Food Items

Anyone who poisons water or food items before they are distributed or delivered to the consumer shall be punished by imprisonment for a period of no less than five years.

If as the result of the act one person dies, the penalty shall be life imprisonment. If more than one person dies, the penalty shall be death.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (307)
Adulteration and Counterfeiting of Food

Anyone who pollutes, adulterates or counterfeits water or any other food item prepared for public consumption, thereby before the same is withdrawn, distributed or traded in, and thus causing a danger to public health, shall be punished by detention for a period not exceeding two years.

If the adulterated or counterfeited substance is a medical product, the penalty shall be detention.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (308)
Trading in Poisoned or Adulterated Substances

Anyone who has in his possession for commerce, presents for sale, distributes for consumption, water, substances or items which another has poisoned, adulterated, or counterfeited, such that they are a danger to public health, and is aware thereof, shall be punished by the penalty set forth in Articles (306) and (307) of this Code, if he is not an accomplice in the offences set forth in the said Articles.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (309)
Trading in Polluted Food and Drugs

Anyone who has in his possession for commerce, presents for sale, distributes for consumption, or supplies articles food items dangerous to public health but which are not counterfeited or adulterated, and is aware thereof, shall be punished by detention for a period not exceeding two years.

If the object of the crime is polluted or defective drugs, the penalty shall be detention.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (310)

Supplying Drugs in a Manner Dangerous to Public Safety

Anyone who, with a license or not, trades in drugs and supplies the same of a kind, quality, or quantity not in conformity with the doctor's prescription or which differs from that advertised shall be punished by detention.

Pursuant to Article (55) of Law No. (23) of 1971 on narcotics:

Article (311)

Article (312)

Repealed.

Chapter (3)

Negligent Offences that Result in Common Danger

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (313)

Disasters Resulting from Negligence

Anyone who negligently causes a fire or disaster set forth in Chapter (1) of this Part shall be punished by detention for a period not exceeding two years.

The penalty shall be detention if the disaster results in drowning or strikes means of passenger transport, such as railroads, ships, or airplanes.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (314)

Negligent Attempt to Cause a Disaster

Anyone who, by negligence, causes a risk that the danger or disaster set forth in Chapter (1) of this Part will occur, or who overlooks an existing danger, shall be punished by detention for a period not exceeding one year.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (315)

Negligence to Take Precautions against Disasters or Work Injuries

Anyone who negligently omits to put in place equipment or any other means designated for extinguishing a fire, for rescue, or aid against disasters or work industries, or who removes the same or renders them unfit for use, shall be punished by detention for a period not exceeding one year or a fine of between LYD 30 and LYD 100.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (316)

Negligent Offences against Public Health

If any of the acts provided for from Articles (305) to (310) of this Code are negligently committed, the death penalty shall be substituted with detention for a maximum period of five years; the penalty of life imprisonment shall be substituted with detention; the penalty of detention shall be substituted with detention for a period exceeding one year or a fine not exceeding LYD 50.

Part (5)

Offences against Public Security

Article (317)

Incitement to Commit an Offence

Anyone who publicly incites the commission of one or more offences and whose incitement has no effect shall be punished by the following penalties:

1. If the incitement is to commit felonies, by detention.
2. If the incitement is to commit a misdemeanour or Infraction, by detention for a period not exceeding six months or by a fine of between LYD 10 and LYD 30.

The penalty shall be detention if the incitement is to the commission of one or more misdemeanours together and one or more infractions.

Article (318)

Provoking Class Strife

Anyone who publicly incites to hatred or contempt among the classes of the people in such a manner as to disturb public security shall be punished by detention for a period not exceeding one year and of a fine of between LYD 20 and LYD 100 or by either of those two penalties.

Article (319)

Incitement to Disobedience of the Laws

Anyone who publicly incites another to disobey the laws or induces him to commit an act deemed a felony or misdemeanour by law shall be punished by the penalties set forth in the previous article.

Article (320)

Opening Donations to Assist Offenders to Pay Fines

Anyone who publicly opens a subscription, or announces the same, for the purpose of assisting offenders to pay fines to which they have been judicially sentenced for a felony or misdemeanour, and anyone who advertises that he or another is undertaking the aforementioned assistance, either wholly or in part, or manifests his intention so to do, shall be punished by

detention for a period not exceeding one year and by a fine not exceeding LYD 100 or by either of those two penalties.

Pursuant to Article (2) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (321)
Criminal Gangs

If three or more persons create a gang for the commission of several felonies or misdemeanours, each participant therein shall be punished by imprisonment for a period of no less than three years if the purpose was to commit felonies and by detention if the purpose was to commit misdemeanours.

Anyone who heads, forms, or organises the said gang shall be punished by imprisonment for a period of no less than three years if the purpose of the association was to commit felonies or by imprisonment of between two and five years, if the purpose of the gang was to commit misdemeanours.

The penalty shall be increased by no more than half if the members of the gang make incursions upon the countryside or public roads while armed.

Any member of the gang who on his own initiative informs the public authorities of the gang and of the identity of its other members, or who causes its dissolution by any means before any of the offences for which the gang was formed are committed and before the institution of criminal proceedings against the gang shall be exempted from the penalty.

The leaders of the gang or its founders shall not be exempted from the penalty unless they cause the dissolution of the gang.

Article (322)
Assisting Gang Members

Anyone who shelters or supplies any of the members of a criminal gang shall be punished by detention for a period not exceeding two years, if he did not participate in or facilitate the offence.

No one shall be subject to punishment who commits these acts for the benefit of a relative.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (323)
Acts of Destruction and Plunder

Anyone who commits any act of destruction, plunder, or looting shall be punished by imprisonment, if the object of the act is other than an attack upon the safety of the State.

If the act is committed with regards to arms, ammunition, or supplies in a place for sale or deposit, the penalty shall be increased by imprisonment for a period of no less than five years.

Article (324)
Sowing Fear among People

Anyone who threatens to commit offences against the public safety, acts of destruction, plunder, or looting and sows fear in the hearts of people shall be punished by detention for a period not exceeding two years.

Article (325)

Sowing Fear among People by Use of Explosives

Anyone who detonates bombs or other explosive materials or devices of this sort in order to sow fear in the hearts of the public or to cause disturbance or anarchy shall be punished by detention if the act does not constitute a more serious offence.

Part (7)

Offences against the Public Trust

Chapter (1)

Counterfeiting of Money and Stamps

Article (326)

Counterfeiting Money, Importing Counterfeit Money, and Circulating the Same

Anyone who counterfeits the national money or foreign money legally or customarily circulating in the country, or who alters genuine money in any way so that its apparent value is increased or its substantial value is decreased, or who imports into Libya money falsified in any of the aforementioned ways and spends or circulates the same, shall be punished by imprisonment for a period not exceeding fifteen years and a fine not exceeding LYD 1,000.

In criminal law, the expression "money" shall be deemed to be current paper money, public bonds payable to the bearer thereof and their counterparts, and financial securities that are legally or customarily current as money and issued by institutions that are authorised to do so.

Article (327)

Circulating Counterfeit Money Received in Good Faith

Anyone who receives false money in good money and circulates the same after becoming aware of its deficiency shall be punished by detention for a period not exceeding six months or a fine not exceeding six times the value of the money that he circulated or transacted in.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (328)

Counterfeiting Stamps and Circulating the Same

The provisions of the two previous articles shall apply to stamps if the acts set forth in the two aforementioned articles are committed in their regard, but the penalty shall be reduced by one half.

In criminal law, "stamps" shall be deemed as papers that bear official stamps, revenue stamps, postage stamps, and other items granted a similar force by law.

Pursuant to Article (2) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (329)

Counterfeiting Watermarks on Official Documents and the Manufacture, Acquiring, and Possession of Counterfeiting Equipment

Anyone who counterfeits the watermarks used in public documents or stamp or obtains, possesses or disposes of such counterfeited documents shall be punished by imprisonment for a period of no less than three years and a fine of between LYD 50 and LYD 100.

The same penalty shall apply to anyone who manufactures, possesses, acquires, or disposes of equipment used only for the purpose of counterfeiting money, stamps or documents that bear watermarks.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (330)

Counterfeiting Public Service Tokens

Anyone who counterfeits or forges tickets, cards, or tokens allowing the bearer thereof to work in a public service or benefit from services that are considered public transport or other public utilities shall be punished by detention for a period not exceeding two years and a fine of between LYD 20 and LYD 100.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (331)

Use of Counterfeited Tokens in a Public Service

Anyone who uses the tickets, cards, or tokens mentioned in the previous article, and is aware thereof but did not himself participate in their counterfeiting or forgery, shall be punished by a penalty of detention for a period not exceeding four months or a fine of between LYD 5 and LYD 20.

If the person who uses the said tickets, cards, or tokens has obtained the same in good faith, the penalty shall be a fine not exceeding LYD 10.

Article (332)

Falsifying or Erasing the Cancellation Marks on Stamps or Tickets with the Intent to Re-Use

Anyone who erases in any manner or removes the signs placed upon stamps or the tokens mentioned in Article (330) of this Code to indicate that they have already been used shall be punished by detention not exceeding six months or a fine of between LYD 10 and LYD 30 if they are used by him or allowed to be used by another.

The same penalty shall apply to anyone who uses falsified stamps or tokens, even if he himself did not participate in their falsification.

If these objects were received in good faith and are intentionally used, the penalty shall be a fine not exceeding LYD 10.

Article (333)

Exemption from the Penalty

Anyone who commits any of the acts mentioned in the previous articles if, before the authorities become aware thereof, he prevents the counterfeiting, falsifying, manufacture, or circulation of the objects in those articles.

Chapter (2) **Counterfeiting Seals, Marks of the Like**

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (334)

Counterfeiting of Public Seals and Instruments Used in Authentication

Anyone who counterfeits or alters the seal of the State designated to be affixed to government documents, or who counterfeits or alters official seals or marks used by public institutions or authorities for authentication or certification of official capacities, or anyone who uses counterfeited or altered seals or marks, but did not participate in their counterfeiting or alteration, shall be punished by imprisonment for a period not exceeding six years, if his act pertains to the seal of the State or of a Province, and in other circumstances, the penalty shall be imprisonment not exceeding five years.

Article (335)

Undue Use of Public Seals and Marks

Anyone who unduly obtains authentic seals or stamps used by the State, the administration or by public authorities to certify official capacities, or uses the same to the detriment of another, for his own benefit or for the benefit of another shall be punished by detention.

Article (336)

Other Circumstances of Counterfeiting and Use of Seals or Stamps

Anyone who counterfeits seals, stamps, or marks of any authority not mentioned in the previous article, or of any company licensed by the government or by a commercial house, or anyone who uses any of the said items and is aware that they are falsified, shall be punished by detention.

Article (337)

Undue Use of Companies and Commercial Houses

Anyone who unduly obtains authentic seals, stamps, or marks pertaining to the authorities, companies, or commercial houses mentioned in the previous article and uses them to the detriment of the interests of their legitimate owners shall be punished by detention for a period not exceeding two years.

Article (338)

Falsification of Distinguishing Marks and Patents

Anyone who falsifies or forges the distinguishing marks or symbols of an intellectual or industrial product, whether domestic or foreign, shall be punished by detention and a fine of between LYD 10 and LYD 20.

The same penalty shall be inflicted upon anyone who falsifies or forges patents, designs, or industrial models, whether they are domestic or foreign.

The previous provisions shall only be applied with consideration of local laws and international agreements pertaining to the protection of technical or industrial property.

Article (339)

Use of Falsified Marks and Patents or Commodities that Bear Such Marks

Anyone who uses falsified or forged distinguishing marks or symbols of an intellectual or industrial product, whether domestic or foreign, and did not participate himself in the falsifying or forgery thereof, shall be punished by detention for a period not exceeding two years and a fine not exceeding LYD 100. The same penalty shall apply to anyone who imports into the country such falsified or forged marks or symbols with the intent to trade with the same, who receives them for sale or offers them for the same purpose, or who in any other way circulates intellectual or industrial products bearing such falsified or forged marks or symbols.

The same penalty shall apply to anyone who uses falsified or forged patents, designs, or industrial models, whether domestic or foreign. This article shall also be subject to the provisions of the third paragraph of the previous Article.

Article (340)

Accessory Penalty

Conviction for a misdemeanour set forth in the two previous articles shall be published.

Chapter (3)

Counterfeiting of Documents

Pursuant to Article (2) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (341)

Falsification of Public Documents by a Public Official

Any public official who, during the exercise of the duties of his office, draws up a document that is either wholly or in part falsified, or who falsifies an authentic document, shall be punished by imprisonment for a period of no less than three years.

Article (342)

Falsification of the Content of Public Documents by a Public Official

The penalty set forth in the previous article shall apply to any public official who falsely confirms the accuracy of any document affirming his receipt, attestation, or oversight within the exercise of his competencies, or recording information not declared before him, or that omits information declared before him, or who alters the same, or falsely confirms in any way facts upon which the validity of the document depends.

Article (343)

Falsification of Certificates by Those Responsible for Necessary Public Services

Anyone who, during the exercise of the medical or legal profession, or any other necessary public service, drafts a certificate and falsely states therein that the facts upon which the validity

of the document depends have occurred, shall be punished by detention for a period not exceeding one year or a fine not exceeding LYD 100.

If the act is committed for the purpose of unlawful gain, the penalty shall be both detention and the fine.

The same penalty shall apply to anyone who induces any of the said persons to falsify or use the false certificate and is aware that it is false.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (344)

Falsification of Public Certificates by Ordinary Persons

If the act set forth in Article (341) is committed by an ordinary persons or a public official outside of his official duties, he shall be punished by imprisonment for a period not exceeding five years.

Article (345)

Declaration of False Information in Public Documents

Anyone who declares false information to a public official with regards to a public act that depends on the truth of such information shall be punished by detention for a period not exceeding two years.

The penalty shall be no less than three months if the falsehood pertains to personal information.

Article (346)

Falsification of Private Documents

Any person who drafts private documents that are falsified in whole or part, alters an authentic private document, or allows the falsification or alteration of the same, for the purpose of obtaining benefit for himself or another, or to cause detriment to others, shall be punished by detention for a period of no less than six months, if he uses this document or permits another to use the same.

Falsified additions to an authentic private document after it has been drafted shall be deemed to fall under alteration.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (347)

Use of Counterfeit Documents

Anyone who knowingly uses a counterfeit official document, but did not participate in its counterfeiting, shall be punished by imprisonment for a period not exceeding five years.

The penalty of detention shall be imposed on anyone who uses a falsified private document, but did not participate in its falsification, if the purpose in using the same is to realize a benefit therefrom for himself or for another or to cause detriment to others.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (348)

Destruction, Damage, or Concealment of Authentic Documents

Anyone who destroys, damages, or conceals authentic official or private documents shall be punished by imprisonment for a period not exceeding five years.

If the act pertains to private documents and the purpose set forth in the previous article is satisfied, the penalty shall be detention.

Article (349)

Falsification of Records and Notices

Anyone who is required by law to keep records that are subject to inspection by the public security authorities, or who is required to submit notices to those authorities about his industrial, commercial, or professional activities and who records in the said records or notices false information or permits such false information to be recorded, shall be punished by detention for a period not exceeding six months or a fine not exceeding LYD 100.

Pursuant to Article (1) of Law No. (5) of 1999 amending Article (350) of the Penal Code:

Article (350)

Counterfeiting Passports

Anyone who counterfeits a passport, transit pass, permit, or similar document, or knowingly uses any of them same, but has not participated in counterfeiting them, shall be punished by imprisonment for a period not exceeding five years. If the counterfeiter is a public official, the provisions pertaining to public officials shall be applied in his regard.

Pursuant to Article (1) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (351)

Falsification of Private Documents Signed in Blank

Anyone who relies on a document signed in blank, and misuses it by writing thereon, or allowing it to be written thereon, any private act that gives rise to legal effects different from that which he was required or authorised to write, if he uses the same or allows it to be used for the purpose of realising for himself or another any benefit or causing detriment to another, shall be punished by detention from six months to three years.

Any paper in which the person who has signed his name has left a blank that is intended to be filled out shall be deemed a document signed in blank.

Article (352)

Falsification of Official Documents Signed in Blank

The penalty prescribed by Article (341) of this Code shall apply to a public official who has in his possession by virtue of his office a paper signed in blank and it is required or authorised for him to complete the same, misuses the same by writing or permitting to be written thereon any public act other that is contrary to that which he is required or authorised to make.

Article (353)

Other Falsifications of Documents Signed in Blank

The provisions of this Code pertaining to the substantive falsification of official or private documents shall apply to the falsification of documents signed in blank in the circumstances that are not provided for in the two previous articles.

Chapter (4)

Impersonation and Falsification of Personal Information

Article (354)

Impersonation of Titles and Ranks

Anyone who unduly wears in public the attire or distinctive badges of a rank, office or public employment, or of a political, administrative, or judicial body, or of a profession whose practice requires a special permission from the State, or who unduly wears in public clerical garb, shall be punished by detention for a period not exceeding two years or a fine not exceeding LYD 50.

The same penalty shall be applied to anyone who impersonates an academic status or degree or any title of honour, the decorations thereof, or insignia, or any of the necessary capacities of the offices, positions, or professions specified in the previous paragraph.

The same penalty shall also apply to anyone who publicly and without legal authorisation, wears a foreign decoration or adopts a foreign title or foreign rank.

Conviction shall require publication of the sentence.

Article (355)

Impersonation of an Individual

Anyone who, for the purpose of obtaining a benefit for himself or for another, deceives another by impersonating another person, or attributes to himself or to another a false name or capacity, or a capacity that entails legal effects, shall be punished by detention for a period not exceeding one year, unless such act constitutes a more serious offence against public trust.

Article (356)

False Information about Identity before a Public Official

Anyone who affirms or declares in a public procedure before a public official false statements about identity, status, or other capacity of himself or of another shall be punished by detention. The same penalty shall apply to anyone who commits this act in a statement intended to be recorded in an official document.

Under the following circumstances, the penalty shall be no less than one year:

1. If the statement pertains to any personal status procedure.
2. If the false statement is made by anyone accused before a judicial authority, or if the false statement results in a criminal ruling being registered under a false name in the record of previous convictions.

Article (357)

False Statements about Identity or Personal Capacity under Interrogation

Notwithstanding the previous provisions, anyone who makes a false statement as to the identity, personal status, or capacity of himself or of another while under interrogation by a public

official while that official is performing the functions of his job, shall be punished by detention for a period not exceeding one year or a fine not exceeding LYD 50.

Part (8)

Offences against Public Economy, Industry, Commerce and Freedom to Work

Chapter (1)

Offences against Public Economy

Article (358)

Manipulation of Prices

Anyone who publishes or broadcasts false information that is such as to cause disturbance in local markets, exaggerates information, or who resorts to any other various means to cause a rise or fall in the prices of goods, real estate or financial documents or securities circulating in the markets, with the purpose of disturbing commercial or financial transactions in local markets, shall be punished by detention.

The penalty shall be doubled if the act is committed by a Libyan national to serve foreign Interests and the act results in a decline in the value of the Libyan currency or in the value of public securities, or if the act results in a rise in the price of goods generally or widely consumed.

Pursuant to Article (1) of Law No. (34) of 1974 amending certain provisions of the Penal Code:

Article (359)

Attack on Freedom of Work

Anyone who uses force, violence, terror or threats or other unlawful measures with the intention of compelling another to refrain from work, to compel an employer to employ any person, or to prevent an employer from the same, shall be punished by detention for a period not exceeding one year or a fine of no less than LYD 100. The same penalty shall apply if the intention is to prevent any person from participating in a trade union.

The provision of this article shall also apply if the force, violence, terror, or unlawful means are used against the wife or children of the person.

The following acts in particular shall be deemed unlawful:

1. Prevention of the intended person from performing his work by concealing his tools, clothes or any other items used by him or in any other manner.
2. Continually following him in his coming and goings.
3. Standing in a threatening manner near his abode or near any other place where he lives or works.

Pursuant to Article (1) of Law No. (34) of 1974 amending certain provisions of the Penal Code:

Article (360)

Obstructing Agricultural or Industrial Production

Anyone who, with the sole purpose of preventing the ordinary progress of work or of hindering the same and to that end enters or occupies agricultural or industrial facilities belonging to a

person or who, for the aforementioned purpose, in any manner makes use of the machines, equipment, tools or means of transport designated for agriculture or industrial products, shall be punished by imprisonment from three to five years.

The penalty shall be imprisonment for a period not exceeding seven years, if the act results in damage to the agricultural or industrial facility or to the items mentioned in the previous paragraph.

The penalty shall be doubled with for anyone who incites or organises the commission of the said acts.

Pursuant to Article (1) of Law No. (34) of 1974 amending certain provisions of the Penal Code:

Article (361)

Destruction of Raw Materials and Products

Anyone who by destruction of raw materials or industrial products causes gross harm to national production or an obvious shortage in goods that are generally or widely consumed, shall be punished by imprisonment and a fine of no less than LYD 1,000.

If the act poses a special danger, the penalty shall be imprisonment for a period of no less than six years and a fine of no less than LYD 1,000.

Pursuant to Article (1) of Law No. (34) of 1974 amending certain provisions of the Penal Code:

Article (362)

Propagating Diseases among Plants or Animals

Anyone who causes the propagation of disease of plants or animals and endangers the economy or national animal wealth shall be punished by detention for no less than five years.

If the propagation of the disease results from negligence, the penalty shall be a fine of between LYD 100 and LYD 500.

Chapter (2)

Offences against Industry and Commerce

Pursuant to Article (1) of Law No. (34) of 1974 amending certain provisions of the Penal Code:

Article (363)

Interference with the Freedom of Industry or Commerce

Anyone who uses violence against items or fraud to prevent the practice of industry or commerce or to interfere with the same shall be punished by detention for a period not exceeding one year and a fine not exceeding LYD 1,000.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code, and Article (1) of Law No. (34) of 1974 amending certain provisions of the Penal Code:

Article (364)**Fraud in Conducting Commerce**

Any merchant, or owner of a shop open to the public, who delivers to a purchaser a movable property of another or any movable property which in its origin, source, capacity, or quantity differs from what it is advertised to be or what was agreed on, shall be punished by detention for no less than six months and a fine of no less than LYD 100 and not exceeding LYD 1,000, or either of the two penalties.

If the act is a valuable object, the penalty shall be detention for no less than one year and a fine of no less than LYD 200 and not exceeding LYD 1,000.

Pursuant to Article (1) of Law No. (34) of 1974 amending certain provisions of the Penal Code:

Article (365)**Fraud against National Industries**

Anyone who offers for sale or in any other way works to promote industrial products in domestic or foreign markets under names, distinguishing marks or symbols that have been counterfeited or altered, and thereby causes detriment to national industry shall be punished by imprisonment for a period not exceeding five years and a fine of no less than LYD 100.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code, and Article (1) of Law No. (34) of 1974 amending certain provisions of the Penal Code:

Article (366)**Sale of Industrial Products under False Names**

Anyone who offers for sale or in any manner deals in intellectual or industrial products, whether domestic or foreign, under distinguishing marks or symbols that are such as to mislead the purchaser with regards to their origin, source, or type shall be punished by detention for a period not exceeding three months and a fine not exceeding LYD 500.

Pursuant to Article (1) of Law No. (34) of 1974 amending certain provisions of the Penal Code:

Article (367)**Publication of the Sentence**

Upon conviction for one of the offences set forth in Articles (358), (364), (365), and (366), the conviction shall be published.

Book (3)**Offences against Persons****Part (1)****Offences against Individuals****Chapter (1)****Offences against the Life or Safety of an Individual**

Article (368)**Intentional Homicide with Premeditation**

Anyone who intentionally kills another person with premeditation or by lying in wait shall be punished by death.

Article (369)**Premeditation**

Premeditation is the intention resolved upon before the act to commit an offence against any person and the detailed planning of the necessary means to execute the act.

Article (370)**Lying in Wait**

Lying in wait is the lurking of a person in wait for another, in one place or many places for a period, whether the period is long or short, for the purpose of killing the person of that other or committing any act of violence against the person.

Article (371)**Poisoning**

Anyone who intentionally kills another by any substances causing death, whether sooner or later, shall be deemed a poisoner, regardless of by what means the substance was used, and he shall be punishable by death.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (372)**Intentional Homicide without Premeditation or Lying in Wait**

Anyone who kills another person intentionally without premeditation or lying in wait shall be punished by life imprisonment or imprisonment.

If the offence is committed against ascendants or descendants, or a spouse, brother, or sister, or if the motive for the commission of the offence was trivial or base or if the offence was committed with coarseness or brutality, the penalty shall be life imprisonment.

Notwithstanding, anyone who commits this felony shall be punished by death if another felony is committed before, during, or after its commission. However, if the intention is to prepare for the commission of a misdemeanour or the facilitation thereof, to commit the same act, or to assist anyone who has committed any misdemeanour or to assist their accomplices to flee or to escape the penalty therefor, the offender shall be sentenced to death or life imprisonment.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (373)**Infanticide to Preserve Honour**

Anyone who kills an infant immediately after or during childbirth for the preservation of honour, if the killer is the mother or relative thereof, shall be punished by imprisonment for a period not exceeding seven years.

Anyone who participates in the offence with the sole purpose of assisting one of the said persons to preserve honour shall be subject to the same penalty.

In all other circumstances, participants in the offence shall be punished by imprisonment not exceeding ten years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (374)

Beating without Intention to Kill

Anyone who intentionally wounds, beats, or provides a harmful substance to another without intending to kill him, but nevertheless it leads to death, he shall be punished by imprisonment not exceeding ten years.

However, if the act involves premeditation or lying in wait, the penalty shall be imprisonment.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (375)

Homicide or Injury to Preserve Honour

Anyone who surprises his wife, daughter, or sister in the act of sexual intercourse outside of wedlock or in any unlawful sexual intercourse and thereupon kills her, her associate, or both together, in response to the attack upon his honour or that of his family, shall be punished by detention.

If the act results in gross or serious harm to the persons mentioned in the same circumstances, the penalty shall be detention not exceeding two years.

Merely beating or causing simple harm in such circumstance shall not be subject to punishment.

Article (376)

Incitement to or Assistance in Suicide

Anyone who incites or assists another to commit suicide, and the suicide actually occurs, shall be punished by imprisonment from three to ten years. If the suicide does not occur, but the attempt results in grave or serious injury, the penalty shall be detention for a period from three months to two years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (377)

Homicide without Intention or Wilfulness

Anyone who kills another person through negligence or causes the death of another unintentionally and not wilfully shall be punished by detention and a fine not exceeding LYD 200, or by either of these two penalties.

If the act results in the death of more than one person, or if the offender was consuming intoxicating or narcotic substances, the penalty shall be detention for a period of no less than one year and a fine not exceeding LYD 400, or either of these two penalties.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (378)

Assault

Upon a complaint by the injured party, anyone who assaults another without causing illness shall be punished by detention for a period not exceeding one month or a fine not exceeding LYD 5.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (379)

Slight Injury

Anyone who causes injury to another person that results in sickness shall be punished by detention for a period not exceeding one year or a fine not exceeding LYD 50.

If the duration of the sickness does not exceed ten days and the aggravating circumstances set forth in Article (382) of this Code are not fulfilled, the offence shall only be punishable upon complaint by the injured party.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (380)

Gross Injury

If any of the following circumstances are fulfilled, the personal injury shall be deemed gross and the penalty shall be detention not exceeding two year or a fine not exceeding LYD 100.

1. If the injury results in illness that endangers the life of the assaulted party or renders him incapable of performing his ordinary occupation for a period not exceeding forty days;
2. If the act is committed against a pregnant woman and results in a premature birth.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (381)

Serious Injury

The injury shall be deemed serious and the penalty shall be imprisonment for a period not exceeding five years if the act results in:

1. Illness from which there is no hope or possibility of recovery.
2. Loss of one sense or permanent impairment thereof.
3. Loss of a limb or organ, permanent impairment of the use of the same, loss of the benefit therefrom, loss of ability to procreate, or permanent and gross difficult in speaking.
4. Permanent facial disfigurement.

5. Abortion of the pregnant woman attacked.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (382)

Aggravating Circumstances

The penalty shall be increased by no more than one half if the injuries set forth in Articles (379), (380), and (381) of this Code are accompanied by premeditation, lying in wait or by the use of arms, or if the injury is committed against ascendants.

Article (383)

Exceeding Intention in Assault

Anyone who assaults another person and does not intend to cause injury, but his act results in personal injury, the provisions of Articles (379), (380) and (381) shall apply, with a reduction of the penalty by no more than one half.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (384)

Negligent Personal Injury

Anyone who causes personal injury to another by negligence shall be punished by detention not exceeding six months or a fine not exceeding LYD 20. If the injury is slight, then proceedings shall not be instituted except upon a complaint by the injured party.

Article (385)

Death or Injury Resulting from another Offence

If an act deemed an intentional offence results in the death or injury of a person and the said result was not intended by the offender or the nature of the act was not likely to cause the said injury, the provisions of Articles (377) and (384) of this Code pertaining to killing or injury by negligence, shall apply to the offence.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (386)

Affray

Anyone who participates in an affray shall be punished by detention for a period not exceeding one month or a fine not exceeding LYD 10.

If one person is killed as a result of an affray or suffers gross or serious harm, simple participation in the affray shall be punished by detention or a fine not exceeding LYD 100. The same penalty shall apply if death or personal injury immediately follows from the affray and results therefrom.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (387)

Abandonment of Juveniles and Incapacitated Persons

Anyone who abandons a person that has been entrusted to his custody or care, if that person is a minor or a person incapable of conducting his own affairs due to bodily or mental illness, or due to senility or any other reason, shall be punished by detention not exceeding three months or a fine not exceeding LYD 10.

If the act results in personal injury to the minor or incapacitated person, the penalty shall be detention or a fine not exceeding LYD 100. If death results, the penalty shall be imprisonment for a period not exceeding five years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (388)

Failure to Provide Assistance

Anyone who comes across an abandoned or lost minor of less than 10 years of age, or who finds any other person incapable of conducting his own affairs due to bodily or mental illness or senility or any other cause, and does not notify the authorities, shall be punished by detention for a period not exceeding one month or a fine not exceeding LYD 10.

The same penalty shall apply to any person who comes across a dead or seemingly dead person or who finds a person wounded or in danger and does not provide the necessary assistance or does not inform the authorities thereof.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (389)

Abandonment of a Newborn to Preserve Honour

Anyone who abandons a newborn child immediately after birth in order to preserve his own honour or one of his relatives shall be punished by detention for a period not exceeding one year.

If the act results in personal injury to the newborn, the penalty shall be detention from six months to two years.

If the newborn dies as the result of the abandonment, the penalty shall be imprisonment not exceeding five years.

Chapter (2)

Abortion

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (390)

Abortion without Consent

Anyone who cause the abortion of a pregnant woman without her consent shall be punished by imprisonment for a period not exceeding six years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (391)

Abortion with Consent

Anyone who causes the abortion of a pregnant woman with her consent shall be punished by detention for a period of no less than six months, and the same penalty shall apply to the woman who consented to the abortion.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (392)

Self-Induced Abortion

A pregnant woman who induces her own abortion shall be punished by detention for a period of no less than six months.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (393)

Death or Injury of a Pregnant Woman

If the act set forth in Article (390) of this Code results in the woman's death, the penalty shall be imprisonment for a period not exceeding ten years. If serious personal injury results, the penalty shall not exceed eight years.

If the act set forth in Article (391) of this Code results in the woman's death, the penalty shall be imprisonment for a period not exceeding seven years. If gross or serious personal injury results, the penalty shall be detention for a period not less than one year.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (394)

Abortion to Preserve Honour

If any of the acts set forth in the previous articles is committed to preserve the honour of the offender or any of his relatives, the penalties prescribed therein shall be imposed with a reduction by one half.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (395)

Aggravating Circumstances

If any of the felonies set forth in Article (390) or in the first paragraph of Article (391) or (393) are committed by a person practicing the medical profession, the penalty shall in his regard shall be increased by no more than one half.

In the event of recidivism, the offender shall be barred from the practice of the medical profession for a period equivalent to the duration of his sentence.

Part (2)
Crimes against the Family
Chapter (1)
Crimes Pertaining to Familial Assistance

Article (396)
Negligence in Performing Familial Duties

Anyone who avoids the duties of maintenance that arise from his paternal status or his duty as guardian or as husband, by abandoning his home, or following a course of conduct that is inconsistent with the sound order and morals of his family, shall be punished by detention for a period not exceeding one year or a fine not exceeding LYD 50.

The penalty shall be increased by one half if the offender commits any of the following acts:

1. Steals or squanders the property of his juvenile son, of anyone entrusted to his guardianship, or of his spouse.
2. Deprives of the means of sustenance his descendants who are juveniles or incapable of work, his ascendants or his spouse, provided that he has not been legally separated from her through no fault of his own.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (397)
Abuse of Means of Correction or Education

Anyone who unlawfully uses means of correction or education against a person subject to his authority or entrusted to him for education, instruction, care, supervision, protection, or for training in a profession or art, if the act is such as to expose the person to bodily or mental illness, shall be punished by detention for a period not exceeding one year.

If the act results in personal injury, the penalties prescribed in Articles (379), (380), and (381) of this Code shall apply with reduction by one half. If death results, the penalty shall be imprisonment for a period not exceeding eight years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (398)
Mistreatment of Family Members and Children

Notwithstanding the provisions of the previous article, anyone who maltreats a member of his family, a minor under the age of fourteen, or any other person subject to his authority or entrusted to him for education, instruction, care or training in a profession or art, shall be punished by detention.

If personal injury results from the act, the penalty shall be increased by one half. If death results, the penalty shall be imprisonment.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (398) *bis* (a)

Anyone against whom an enforceable court ruling is issued to pay expenses for his wife, ascendants, descendants, or siblings, or compensation for custody, nursing, or housing, and refrains from paying despite his ability to do so for one month after notification thereof shall be punished by detention for a period not exceeding one year.

If a second case is brought against him for this offence after the ruling is issued, the penalty shall be detention for no less than three months and not exceeding two years.

In all cases, if the offender performs something that freezes his debt or provides a guarantee that is accepted by the person is concerned, the penalty shall not be enforced.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (398) *bis* (b)

Anyone who refuses to hand over a minor to a person who is entitled to request him based on a court ruling or order issued regarding the custody or maintenance thereof, as well as anyone who abducts a minor by himself or through the mediation of another from those to whom the ruling or order grants the right of custody or maintenance, even if it is by another manner than fraud or force, shall be punished with detention not exceeding one year or a fine not exceeding LYD 50.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain provisions of the Penal Code:

Article (398) *bis* (c)

Proceedings shall only be instituted in the offences set forth in Articles (396), (397), (398) *bis* (a), and (398) *bis* (b) based on a complaint by the injured party.

**Chapter (2)
Offences against Family Morals**

Pursuant to Article (9) of Law No. (70) of 1973 on establishing the hudud punishment for illicit sex and amending certain provisions of the Penal Code:

Article (399)

Article (400)

Article (401)

Article (402)

Article (403)

Repealed.

Pursuant to Article (1) of Law No. (175) of 1972 adding two articles to the Penal Code:

Article (403) *bis* (a)

Anyone who artificially inseminates a woman by force, threat, or deceit shall be punished by imprisonment for a period not exceeding ten years.

The penalty shall be imprisonment for a period not exceeding five years if the insemination is with her consent.

The penalty shall be increased by half if the offence is committed by a doctor, pharmacist, midwife, or one of their assistants.

Pursuant to Article (1) of Law No. (175) of 1972 adding two articles to the Penal Code:

Article (403) *bis* (b)

A woman who accepts artificial insemination or who artificially inseminates herself shall be punished by imprisonment for a period not exceeding five years.

The spouse shall be punished by the same penalty set forth in the preceding paragraph if the insemination takes place with his knowledge and consent, whether the insemination is performed by his wife or another person.

Chapter (3)

Offences against the Structure of the Family

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (404)

Destruction, Alteration, or Fabrication of Personal Information

Anyone who conceals or substitutes a newborn child to prepare a birth certificate or who gives false statements to the Birth Registration Department or who destroys or alters the personal information of the newborn or who causes a false entry of birth to be recorded in the registers of the Birth Registration Department shall be punished by imprisonment for a period not exceeding five years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (405)

Concealment of the Status of a Legitimate or a Recognised Natural Child

Anyone who places in a foundling hospital, or in any other charitable institution, a legitimate child or acknowledged natural child or submits him to any similar entity by concealing true information thereon, shall be punished by imprisonment for a period of no less than three months.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (406)

Abduction of a Juvenile with His Consent

Anyone who abducts from his parent or guardian a juvenile who has completed fourteen years of age, if it occurs with the consent of the juvenile, or anyone who refuses to hand over the said juvenile against the will of the parent or guardian, shall be punished by detention.

If the act is committed with regards to a child under the age of fourteen or with regards to a child with mental incapacity, even if the latter has fled from the person who had custody or supervision thereof, the provisions of Article (428) of this Code shall apply.

Part (3)

Offences against Freedom, Honour, and Morals

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code, and Article (8) of Law No. (70) of 1973 establishing the *hudud* punishment for illicit sex and amending certain provisions of the Penal Code:

Article (407)

Sexual Intercourse by Force

1. Anyone who has sexual intercourse with another by force, threat, or deceit shall be punished with a penalty of imprisonment not exceeding ten years.
2. The same penalty shall apply to anyone who has sexual intercourse with a minor under the age of fourteen, even with the minor's consent, or with a person unable to resist due to bodily or mental illness. If the victim is a juvenile who has completed fourteen years and not yet completed eighteen years, the penalty shall be imprisonment for a period not exceeding five years.
3. If the offender is an ascendant of the victim, or the offender is entrusted with the education or supervision of that person, or if the offender is someone who has authority over that person, or if the victim is a servant of the offender or in the employ of any of the foregoing persons, the penalty shall be imprisonment between five and fifteen years.
4. If anyone has sexual intercourse with a person with that person's consent, both he and his partner shall be punished by imprisonment for a period not exceeding five years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code, and Article (8) of Law No. (70) of 1973 establishing the *hudud* punishment for illicit sex and amending certain provisions of the Penal Code:

Article (408)

Indecent Assault

1. Anyone who, by any of the means mentioned in the previous article, commits indecent assault on another shall be punished by imprisonment not exceeding five years.
2. The same penalty shall apply to anyone who commits the act upon a person under the age of fourteen years, even if it is with the consent of said person, or upon a person unable to resist due to bodily or mental illness. If the victim is between fourteen years and eighteen years of age, the penalty shall be imprisonment for a period no less than one year.
3. If the offender is one of the persons mentioned in the last paragraph of the previous article, the penalty shall be imprisonment for a period not exceeding seven years.

4. If anyone who commits indecent assault upon a person with that person's consent, both he and his partner shall be punished by detention.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (409)

Incitement of a Minor to Indecent Acts

Anyone who incites a minor under the age of eighteen, whether male or female, to commit indecent acts or assists, enables or facilitates the minor in any way to commit a lewd act or commits the same in front of the minor on a person of the same or opposite sex, shall be punished by detention.

The penalty shall be doubled if the offender is one of the persons mentioned in Article (407).

Pursuant to Article (9) of Law No. (70) of 1973 establishing the *hudud* punishment for illicit sex and amending certain provisions of the Penal Code:

Article (410)

Repealed.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (411)

Abduction for the Purpose of Marriage

Anyone who abducts an unmarried woman or detains her by force, threats, or deceit, with the intention of marrying her, shall be punished by detention for a period of no less than six months. The penalty shall be detention for a period of no less than one year if the act is committed against an unmarried girl whose age is between fourteen and eighteen years.

The same penalty shall apply even if the act was committed with consent, if the girl is less than fourteen years or age, suffers from mental illness, or is unable to resist.

Article (412)

Abduction for the Commission of Lewd Acts

Anyone who abducts a person, or detains a person by force, threats, or deceit, for the purpose of committing lewd acts shall be punished by imprisonment for a period not exceeding five years.

The penalty shall be increased by no more than one third if the act is committed against a person who has not completed eighteen years of age or against a married woman.

Article (413)

Abduction without Force of a Minor under Fourteen or a Mentally Defective Person

The penalties set forth in the last two paragraphs of the two previous articles shall apply to anyone who commits the acts mentioned therein without force, threats, or deceit against a minor under fourteen years of age or against a person who is mentally ill or unable to resist due to psychological or physical weakness, even if this weakness was not caused by the offender.

Article (414)

Extenuating Circumstances

The penalties set forth in the three previous articles shall be reduced by half if, before being convicted and before the commission of any lewd act with the person abducted, the offender takes the initiative to restore the freedom of the person abducted and to return him to the place where he was abducted from or to place him in a secure location where his family or those entrusted with his guardianship may recollect him.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (415)

Incitement to Prostitution

Anyone who, to satisfy the lust of another, lures a juvenile or person not mentally defective into prostitution, or facilitates the same, shall be punished by a penalty of detention for a period of no less than one year and a fine not exceeding LYD 200.

The penalty shall be doubled in the following cases:

1. If the act is committed against a person under the age of fourteen.
2. If the offender is an ascendant of the victim, or an ascendant of the wife of the said person, or if the offender is the adoptive father, spouse, brother, sister or guardian of the said person.
4. If the offender is entrusted with the discipline, education, supervision, care, employment, or training of the victim.

Pursuant to Article (2) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (416)

Compulsion to Prostitution

Anyone who, to satisfy the lust of another, uses force or violence to compel a juvenile or an adult woman to prostitution shall be punished by imprisonment for a period from three to six years and a fine between LYD 100 and LYD 550.

The penalty shall be doubled in the circumstances set forth in the second paragraph of the previous article or if the act is committed against a married woman.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (417)

Living on Earnings of Prostitution

Any person, whether man or woman, whose livelihood is derived wholly or in part upon a woman's earnings from prostitution shall be punished by detention for a period of no less than one year and a fine not exceeding LYD 200.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (417) *bis* (a)

Any woman who makes prostitution her means of livelihood and gain shall be punished by detention for a period of no less than one year.

Anyone who opens or manages a house of indecency or house of prostitution or assists in any manner in the management thereof shall be punished for a period of no less than one year and a fine of no less than LYD 100 and not exceeding LYD 300, and the house shall be sentenced to be closed and the goods found therein confiscated.

A house of prostitution and indecency shall be considered any location normally used for the practice of prostitution or indecent acts by others.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (417) *bis* (b)

The following shall be punished by detention for a period of no less than three months and a fine of no less than LYD 25 and not exceeding LYD 300:

- a) Anyone who knowingly rents or provides in any capacity a house or location that is managed for indecency, prostitution, or for the residence of one or more persons who practice indecency or prostitution.
- b) Anyone who owns or manages a furnished house, furnished room, or shop open to the public that has regularly facilitated indecency or prostitution, whether by accepting persons who commit the same or by allowing therein incitement to indecency or prostitution.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (417) *bis* (c)

The previous articles shall only be applied in areas for which the Cabinet has issued a decree upon the approval of the competent province.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (418)

International Trafficking of Women

Anyone who compels a woman by force or threat to emigrate to a location abroad with the knowledge that she will practice prostitution there shall be punished by imprisonment for a period not exceeding ten years and a fine LYD 100 and LYD 500.

The same penalty shall apply to anyone who induces a juvenile or mentally-defective adult woman by any means to emigrate to a location abroad with the knowledge that she will practice prostitution there.

If the act is accompanied by force or threat, the penalty shall be increased by one half.

The penalty shall be doubled in the circumstances set forth in the last paragraph of Article (415) of this Code, and if the act is committed against two or more persons, even if their destinations are different.

Pursuant to Article (2) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (419)

Facilitation of Trafficking in Women

Anyone who facilitates in any manner the commission of any of the offenses set forth in the previous article with knowledge that the purpose thereof is for the practice of prostitution shall be punished by imprisonment for between three and five years and of a fine of between LYD 100 and LYD 500, unless he is an accomplice in the offence. In this case, the final paragraph of the previous article shall apply.

Article (420)

Trafficking in Women by a Libyan

A Libyan shall be punished for the acts set forth in the two preceding articles, even if has committed such while abroad.

Pursuant to Article (1) of Law No. (11) of 1961 amending certain articles to the Penal Code:

Article (420) *bis*

Anyone who subjects a woman to words, acts, or gestures that violate her decency in a public street or accessible location, and anyone who incites passers-by to indecency by gestures, words, or acts shall be punished by detention for a period of no less than one month and not exceeding six months.

The penalty shall be detention for a period of no less than two months and not exceeding six months if the offender repeats an offence of the offence mentioned in the previous paragraph within one year from the date of his sentence therein. In this case, the execution of the penalty may not be stayed.

Article (421)

Indecent Acts or Items

Anyone who commits an indecent act in an open public place or a place accessible to the public shall be punished by detention for a period not exceeding one year or a fine not exceeding LYD 50.

The same penalty shall apply to anyone who violates decency by distributing indecent letters, pictures, or other articles, or who exposes the same to the public or offers the same for sale. Artistic or scientific productions shall not be considered indecent items unless they are provided for other than educational purposes to a person under the age of eighteen years for sale to him or if they are offered for sale to him or if he is facilitated in the obtaining thereof by any means.

Article (422)

Age of the Victim

The offender shall not be excused by ignorance of the age of the victim, if the crimes set forth in this Part are committed against a juvenile under the age of fourteen years.

Pursuant to Article (1) of Law No. (11) of 1961 amending certain articles to the Penal Code:

Article (423)

Repealed.

Article (424)

Extinction of Offences and Stay of Execution of Penalties

If the offender marries the woman against whom the offense is committed, the offense and penalty shall be extinguished and the penal effects thereof shall cease. This shall apply both to the offender and to his accomplices, provided that the personal status law applicable to the offender does not authorise divorce or judicial divorce.

But if the personal status law applicable to the offender authorises divorce or judicial divorce, then the marriage of the offender shall only stay criminal proceedings or execution of the penalty for a period of three years.

The stay shall cease before the passage of three years from the date of the offense if the woman against whom the offense was committed is judicially divorced for no reasonable reason or if a ruling of divorce is issued on her behalf.

Part (4)

Offences against the Liberty of Individuals

Chapter (1)

Slavery

Article (425)

Enslavement

Anyone who enslaves another or places him under conditions that resemble slavery shall be punished by imprisonment from five to fifteen years.

Article (426)

Dealing and Trafficking in Slaves

Anyone who deals in or traffics in slaves or in any manner disposes of a slave or a person in a condition resembling slavery shall be punished by Imprisonment for a period not exceeding ten years.

The penalty shall be imprisonment from three to twelve years for anyone who disposes of an enslaved person or a person in a condition resembling slavery, or who delivers him, has him in his possession, acquires him, or retains him in his said condition.

Article (427)

Commission of the Offence Abroad against a Libyan

The provisions of this Chapter shall also apply if the offense is committed outside Libya against a Libyan.

Chapter (2)

Offences against Personal Liberty

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (428)

Abduction of Persons

1. Anyone who abducts, detains, confines, or deprives a person or his personal liberty by force, threat, or deceit shall be punished by imprisonment for a period not exceeding five years.
2. The penalty shall be imprisonment for a period not exceeding seven years, if the offence is committed:
 - a) Against an ascendant, descendent or a spouse;
 - b) By a public official transgressing the limits of the authority pertaining to his office.
 - c) If the act is committed in order to obtain consideration for release, and the offender achieves his purpose, the penalty shall be imprisonment for a period not exceeding eight years.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (429)

Use of Force to Compel Another

Anyone who compels another by force or threat to commit, accept, or omit to perform, any act shall be punished by detention for a period not exceeding two years.

The penalty shall be detention if the threat is intended to compel another to commit an act that is an offence, or if the threat is in writing.

If the offender obtains an unlawful benefit to the detriment of another, the penalty shall be imprisonment for a period not exceeding five years.

The penalty shall be increased by one third if the force or threat is accompanied by use of weapons, or if the force or threat are used by a number of persons in concert, or by a person wearing a mask.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (430)

Threats

Anyone who threatens another with unlawful injury shall be punished by detention for a period not exceeding six months or a fine not exceeding LYD 50, but proceedings shall only be instituted upon a complaint by the injured party.

If the threats are to commit an offence against life or property, or disclose matters that violate honour, or any of the forms mentioned in the last paragraph of the previous article, the penalty shall be detention for a period not exceeding one year and the institution of proceedings shall not depend upon a complaint by the injured party.

Article (431)

Abuse of Authority against an Individual

Any public official who during the exercise of his office uses force against an individual and thereby causes dishonour to the individual or causes him bodily pain shall be punished by detention and a fine not exceeding LYD 150.

Article (432) **Searching Persons**

Any public official who searches an individual in transgression of the limits of his authority shall be punished by detention.

Article (433) **Unlawful Arrest**

Any public official who arrests a person and in transgression of the limits of his authority shall be punished by detention.

Article (434) **Unjustified Restriction of Personal Liberty**

Any public official entrusted with the administration of a prison or an establishment for the execution of preventive measures and who accepts therein a person without an order from the competent authorities, or refuses to obey the order of that authority for the release thereof, or who unlawfully extends the duration of the execution of the penalty or preventive measure, shall be punished by detention and a fine not exceeding LYD 50.

Article (435) **Torture of Prisoners**

Any public official who orders the torture of an accused person or tortures him himself shall be punished by imprisonment from three to ten years.

Chapter (3) **Violation of the Inviolability of Residences**

Article (436) **Violation of the Inviolability of Residences**

Anyone who enters an inhabited house or any other private place of residence or its appurtenances without the permission of the person who is entitled to prevent him from entering, or who infiltrates the same secretly or by deceit, shall be punished by detention for a period not exceeding two years.

The same penalty shall apply to anyone who remains in the aforementioned locations despite being ordered to leave by the person who is entitled to prevent his entry, or who remains therein secretly or by deceit.

Proceedings shall only be instituted based on a complaint by the injured party.

The penalty shall be increased by no more than one half if the act is accompanied by the use of violence against items or against persons or if the trespasser was openly bearing a weapon.

Article (437) **Violation of the Inviolability of Residences by a Public Official**

Any public official who enters the residence of an individual without consent or remains therein without justification, based on his office and under circumstances not set forth by law or without

respect for the prescribed rules, shall be punished by detention and a fine not exceeding LYD 20.

Part (5) **Offences against Honour**

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (438)

Insult

Anyone who violates the honour or reputation of a person in his presence shall be punished by detention for a period not exceeding six months or a fine not exceeding LYD 25.

The same penalty shall apply to anyone who commits the offense by telegraph, telephone, documents, or pictures addressed to the insulted person.

The penalty shall be detention for a period not exceeding one year or a fine not exceeding LYD 40 if the offence involves attribution of a particular fact.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (439)

Defamation

In circumstances other than those set forth in the previous article, anyone who harms the reputation of another by defamation in the presence of several persons shall be punished by detention for a period not exceeding one year or a fine not exceeding LYD 50.

The penalty shall be detention for a period not exceeding two years or a fine not exceeding LYD 70 if the defamation involves attribution of a particular act.

If the defamation is by means of newspapers, other means of publicity, or in a public document, the penalty shall be detention for a period of no less than six months or a fine between LYD 20 and LYD 100.

If the defamation is directed against a political, administrative, or judicial body, a representative thereof or a body validly convened, the penalty shall be increased by an amount by no more than one third.

Article (440)

Excluded Evidence

With regards to the previous two articles, evidence concerning the truth of what was attributed or defamed may not be accepted from the offender to prove his innocence.

Nevertheless, the truth of the attribution may be proved in the following circumstances:

1. If the insulted person was a public official and what is attributed him pertains to the exercise of his duties.
2. If the offence is committed against a candidate during the period of general elections.

3. If the matter attributed to the insulted person is subject of a criminal proceeding already in progress or which it has been determined to bring against him. In this case, the offender shall be pardoned from the penalty if he proves the truth of his attribution or a judgment is issued convicting the insulted person.

Article (441)

Complaint by the Insulted Person

Proceedings shall only be instituted in the offences set forth by Articles (438) and (439) of this Code based on a complaint by the insulted person.

Article (442)

Insult or Defamation before Judicial or Administrative Authorities

No penalty shall be imposed with regards to the contents of documents submitted or produced by the litigants or their representatives during proceedings before the judicial or administrative authorities, or produced for defence before those authorities if the insult is the subject of the case or administrative complaint.

When adjudicating the case, the judge may order the disciplinary measures that he deems fit. The judge may also order the destruction of some or all of the documents that contain the defamation or may order their exclusion, and may award the insulted person compensation for moral damage sustained.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (443)

Retaliation and Provocation

If any of the offences set forth in Article (438) and (439) of this Code while in a state of rage upon the occurrence of an unjust attack upon him, the offender shall not be subject to punishment.

Part (5)

Offences against Property

Chapter (1)

Offences against Property by Use of Force against Objects and Persons

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (444)

Theft

Anyone who steals the movable property of another shall be punished by detention. Under the Penal Code, electric power and all other forms of power with an economic value shall be deemed movable property.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (445)

Theft by a Person of His Own Property or Destruction Thereof

Anyone who steals objects of his own private property, when they are encumbered by a usufruct right, security in rem, or right of retention, or who destroys, damages, dissipates, spoils, or renders useless the same either wholly or in part, shall be punished by detention.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (446)

Aggravated Theft

The penalty shall be detention with hard labour for period of no less than six months and a fine of no less than LYD 10 and not exceeding LYD 50 in the following cases:

1. If the theft occurred by means of infiltrating or remaining in a building or other location that is inhabited or prepared for habitation, any of the appurtenances thereof, or any locations of worship.
2. If the thief uses force against objects or resorts to the use of fake keys.
3. If the theft takes place at night.
4. If the theft take places on a public road outside of cities and villages.
5. If the theft involves abuse of a relationship of lodger or guest.

The penalty shall be detention with hard labour for a period of no less than one year and not exceeding four years and a fine of no less than LYD 20 and not exceeding LYD 100 in the following cases:

1. If the offence is committed by a servant against his employer or by an employee, worker or tradesman in a store, warehouse, or shop of the employer, or in a place where he usually works.
2. If the offence is committed against any professional involved in transporting items in carts, vehicles, beasts of burden, or any other means of transport, or any other person tasked with transporting items or any of their followers, if the said items have been delivered to them in their previous capacity.
3. If the theft is committed against movables found in public offices or facilities, or exposed by necessity or custom upon the general trust, or prepared for public service or benefit.
4. If the offenders are openly or surreptitiously carrying a weapon at the time the theft is committed.
5. If the theft is committed by three or more person, or is committed by a person impersonating the capacity of a public official.
6. If the theft is of three or more heads of livestock in a herd, or of three heads of cow, horse, or camel, even if they are not in a herd.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (447)

Plurality of Aggravating Circumstances

Anyone who commits a theft wherein two or more of the aggravating circumstances set forth in the first paragraph of the preceding article are fulfilled shall be punished by detention with hard labour for a period of no less than one year and not exceeding four years, and a fine of no less than LYD 40 and not exceeding LYD 100.

If two or more of the aggravating circumstances set forth in the second paragraph of the previous article or if one or more of these circumstances are combined with one or more of the circumstances set forth in the first paragraph of the said article, the penalty shall be imprisonment for a period not exceeding seven years and a fine of no less than LYD 50 and not exceeding LYD 150.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (448)

Theft Punished Based on a Complaint by the Injured Party

A penalty of detention for a period not exceeding three months and a fine not exceeding LYD 20 shall be imposed upon a complaint by the injured party, if the theft is committed:

1. To use the item temporarily if it is returned immediately after use.
2. Against items of trivial value to fulfil an urgent need.
3. By plucking ears of cereals or gleaning what remains on the ground after harvest, if it has not been entirely gathered. These provisions shall not apply if the circumstances set forth in Items (1), (2), and (3) of the first paragraph of Article (446) are fulfilled.

Pursuant to Article (1) of Law No. (26) of 1977 adding an article to the Penal Code on theft of motorised vehicles and boats for temporary use:

Article (448) bis

Theft of Motorised Vehicles and Boats for Temporary Use

Notwithstanding the previous article, the theft of motorised vehicles and boats for temporary use shall be punished by detention for a period of no less than three months and a fine of no less than LYD 100. In such cases, initiation of the case shall not depend on a complaint by the injured party.

In the event of recidivism or if the offender uses the vehicle or boat in the commission of another offence, the penalty shall be doubled.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (449)

Theft of Items Held in Common

If a co-owner or co-heir, for the benefit of himself or another, seizes a property owned in common between them by stealing it from their possession shall be punished a penalty of detention.

No penalty shall be imposed upon the offender if the offence is committed against fungible items provided that the value thereof does not exceed the offender's share thereof.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (450)

Robbery

Anyone who forcibly seizes the moveable property of another shall be punished by imprisonment for a period not exceeding ten years and a fine of no less than LYD 50 and not exceeding LYD 200.

The same penalty shall apply if the force is used immediately after the theft is completed in order to ensure the possession of the stolen item or to escape.

The penalty shall be imprisonment for a period not exceeding 12 years if the force is accompanied by any of the circumstances set forth in Article (446), Paragraph (1).

The penalty shall be imprisonment if the force is accompanied by one or more of the conditions set forth in paragraph two of the previous article.

Pursuant to Article (6) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (451)

Article (452)

Repealed.

Article (453)

Alteration of Boundaries

Anyone who removes or alters the boundaries of real property owned by another for the purpose of appropriating the same to himself whether in whole or part shall be punished by detention and a fine not exceeding LYD 100.

Article (454)

Diversion of the Course of Water and Alteration of the Condition of Locations

Anyone who, to obtain a benefit for himself or another, diverts public or private water, or alters the condition of the property of another, shall be punished by detention and a fine not exceeding LYD 100.

Article (455)

Trespassing on Land or Buildings

Anyone who trespasses upon the land, buildings, factories, or other real property of another with the purpose of unduly occupying the same or to benefit therefrom in any way, shall be punished by detention for a period not exceeding two years or a fine not exceeding LYD 100.

Proceedings shall be instituted upon a complaint by the injured party.

Both penalties shall apply and proceedings shall depend upon a complaint by the injured party if the act is accompanied by the use of violence or threats against persons or if the offence is committed by a group of ten or more persons.

Article (456)

Forcible Interference with the Possession of Real Property

Anyone who interferes with the stable possession by another of real property by the use of threat or violence against persons shall be punished by detention for a period not exceeding two years and a fine not exceeding LYD 100.

If the perpetrator consists of a group of ten or more persons, such shall be deemed violence or threat.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (457)

Destruction of Property

Anyone who destroys, dissipates, corrupts, or renders useless any movable or immovable property, either wholly or in part, shall be punished by detention for a period not exceeding one year or a fine not exceeding LYD 100. Proceedings shall be instituted based on the complaint of the injured party.

The penalty shall be detention for a period of no less than six months and the institution of proceedings shall not depend on a complaint by the injured party if the act is accompanied by any of the following circumstances:

1. By the use of violence or threats against persons;
2. If the act is committed against public buildings or buildings designated for public use or for the practice of religious rites, or against the items specified in Article (446), Paragraph (2), Item (3) of this Code;
3. If the offence is committed against irrigation facilities;
4. If the offence is committed against vines, fruit trees, farms, woods, forests, or nurseries.

Pursuant to Article (1) of Law No. (23) of 1963 amending certain articles to the Penal Code:

Article (458)

Pasturing on the Lands of Another

Anyone who unduly brings his animals to pasture onto the uncultivated land of another, or leaves the same thereon, shall be punished by a fine not exceeding LYD 50. If the act occurs upon cultivated land, the penalty shall be detention for a period exceeding six months or a fine not exceeding LYD 100.

The provisions of the first paragraph shall only apply to State-owned lands or tribal lands if a decision is issued by the Minister of Agriculture prohibiting pasturing thereon.

Proceedings may only be instituted for the offence mentioned in the first paragraph upon a complaint by the injured party.

Article (459)

Surreptitious Entry on the Land of Another

Anyone who transgresses the property of another, if such property is a closed place not designated for habitation, or land surrounded by a ditch, fence, or wall of whatever type, shall be punished by a fine not exceeding LYD 20, based on a complaint by the injured party.

Article (460)

Killing or Injuring the Animals of Another

Anyone who intentionally kills, renders unfit for use, or in any way injures an animal belonging to another without justification shall be punished by detention for a period not exceeding two years or a fine not exceeding LYD 50, upon a complaint by the injured party.

The penalty shall be detention for a period of no less than six months if the act is committed against cattle in a herd or against a cow, horse, or camel, even if not in a herd, and in this case the institution of proceeding shall not depend upon a complaint by the injured party.

No penalty shall be imposed if the act is committed against birds caught in the act spoiling the land of the offender.

Chapter (2) **Offences of Fraud**

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (461) **Cheating**

Anyone who obtains for himself or another unlawful gain to the detriment of others by the use of fraudulent means or by disposition of movable or immovable property that he does not possess and has not right to dispose of, or by adopting a false name or untrue capacity, shall be punished by detention and a fine not exceeding LYD 50.

The penalty shall be imprisonment for a period not exceeding five years if the act is detrimental to the State or to any other public body.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (462) **Drawing Dishonoured Cheques**

Anyone who gives a cheque in bad faith, and does not have a balance on which to draw, has a balance of less than the value of the cheque, or has withdrawn the whole or part of the balance after giving the cheque, such that the remainder thereof is insufficient to pay the value of the cheque, or in bad faith orders the entity on which the cheque is drawn not to pay the same, shall be punished by detention and a fine not exceeding LYD 100.

The same penalty shall apply to anyone who in bad faith issues a cheque that does not contain the name, or order for payment without restriction, or the name of the bank upon which it is drawn, the date or location of issue, or who issues the same with a false date, or makes himself as the drawee, unless the cheque is drawn on different institutions affiliated with the drawer.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (463) **Deceiving of Juveniles**

Anyone who takes advantage of the needs, weakness, caprice, or inexperience of a person under the age of twenty-one, or takes advantage of the vulnerability, mental illness or mental defect of another, and induces him to commit any legal act which is such as to prejudice his interests or the interests of another, in order to obtain a benefit for himself or another, shall be punished by detention for a period no less than three month and a fine between LYD 20 and LYD 100.

The penalty shall be detention for no less than six months and a fine between LYD 50 and LYD 200, if the offender was entrusted with the custody or guardianship of the victim.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (464)

Usury

Anyone who takes advantage of the needs, weakness or caprice of another and lends him money or gives him any other movable property and induces him to pay or pledge to pay in any way excessive interest or any other benefit incommensurate with what has been lent or given, shall be punished by detention for a period not exceeding three years and fine not exceeding LYD 100.

The same penalty shall apply to anyone who habitually gives money in any manner in return for excessive interest, regardless of the circumstances set forth in the first paragraph of this Article.

Pursuant to Article (1) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (465)

Misappropriation

Anyone who has in his possession in any way money or any other movable property owned by another, and misappropriates the same in order to obtain a unlawful benefit for himself or for another, shall be punished by imprisonment for a period not exceeding three years and a fine not exceeding LYD 100. Proceedings shall only be instituted upon a complaint by the injured party.

If the items were in the custody of the offender as bailment of necessity, or if the offence is committed by abuse of authority, a familial relationship, or a relationship arising from office, work, co-habitation, or hospitality, the penalty shall be increased by no more than half and institution of proceedings shall not be depend upon a complaint by the injured party.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (465) bis (a)

Anyone who knowingly receives or conceals items that are stolen or obtained in any manner by a felony or misdemeanour or enables another to obtain any such item, shall be punished by detention for a period not exceeding two years.

If the offender is aware of the received or concealed items that were obtained from an offence the punishment for which the penalty is more severe, he shall be sentenced to the penalty prescribed for that offence.

Pursuant to Article (7) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (465) *bis* (b)

Anyone who comes across lost movable property and seizes the same with the intention of taking possession thereof shall be punished by detention for a period not exceeding two years.

**Chapter (3)
General Provisions**

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (466)

Instituting Proceedings against Relatives and Non-Punishment Thereof

Proceedings against anyone who commits any of the offences set forth in this Part shall not be instituted against a spouse, ascendant, or descendant, except based on a request by the victim.

The victim may withdraw the case at any stage, and he may stay the execution of the final ruling against the offender at any time.

The provisions of this article shall not apply to offences against property if violence against persons is used in the commission thereof.

**Book (4)
Other Misdemeanours and Infractions
Part (1)**

Other Misdemeanours and Infractions Pertaining to Public Order

Pursuant to Law No. (68) of 1974 amending certain articles to the Penal Code:

Article (467)

Infractions against Orders of Authority

Anyone who infringes upon a lawful order issued by an authority to maintain justice or public security, order or health shall be punished by detention not exceeding one month or a fine not exceeding LYD 5.

Article (468)

Refusal to State Identity

Anyone who refuses to give state his identity, personal status, or any other personal status when requested to do so by a public official during the exercise of his functions shall be punished by detention for a period not exceeding one month or a fine not exceeding LYD 5.

Pursuant to Article (3) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (469)

Refusal to Provide Assistance upon Occurrence of a Disturbance

Anyone who, without a legitimate excuse, refuses to give assistance or to perform what is requested of him by a public official during the exercise of his functions, upon the occurrence of a disturbance or any other disaster or in flagrante delicto, or who refuses to provide information or give the statements requested of him in the aforementioned circumstances, shall be punished by detention for a period not exceeding one month or a fine not exceeding LYD 10.

If the statements or information given by the offender are false, the penalty shall be detention for a period from one to three months or a fine not exceeding LYD 20.

Pursuant to Article (3) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (470)

Seditious Shouts and Demonstrations

Anyone who in a public location or in a location exposed to or open to the public, demonstrates or emits seditious shouts, shall be punished by detention for a period not exceeding one month, provided that no more serious offence resulted from the act.

Article (471)

Disturbing People by Noise or Disturbance of Their Rest

Anyone who causes clamour or noise or misuses devices for conveying or amplifying sound, or provokes or causes animals to make noise or does not restrain them therefrom, in such a manner as to disturb the business or rest of persons, or disturbs assemblies or public places or places of recreation, shall be punished by detention for a period not exceeding one month or a fine not exceeding LYD 10.

The same penalty shall apply to anyone who announces news by shouting in such a way as to disturb public or private rest, if the shouting is accompanied by the circulation or distribution of documents or pictures in a public place or place which is open or exposed to the public.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (472)

Disturbing or Distressing People

Anyone who disturbs another or the rest of another in a public place, open place or place exposed to the public, or disturbs them by use of the telephone, or by its use for an objectionable reason, shall be punished by detention for a period not exceeding six months or a fine not exceeding LYD 20.

Article (473)

Destroying Posters

Anyone who tears a poster or picture that is posted or hung with authorisation from the competent authority, or who renders it illegible or unfit for use shall be punished by a fine not exceeding LYD 10.

Article (474)
Itinerant Vendors

Anyone who practices the trade of an itinerant vendor without license from the competent authorities, or who does not observe the conditions prescribed by law for the practice of that trade, shall be punished by detention for a period not exceeding one month or a fine not exceeding LYD 10.

The same penalty shall apply to a parent or guardian who employs a juvenile under the age of eighteen to conduct the said trade, and the said juvenile does not have a licence to do so, or the said juvenile does not comply with the conditions prescribed by law for the conduct of that trade.

Pursuant to Article (3) of Law No. (11) of 1961 amending certain articles to the Penal Code:

Article (475)
Begging

Anyone who begs in a public place or place open to the public in a frightening or contemptible manner or by faking illness or deformity or by the use of sleight of hand shall be punished by detention for a period not exceeding six months.

Article (476)
Refusal to Accept Legal Currency

Anyone who refuses to accept money that is legally current in the Republic at its legal value shall be punished by a fine not exceeding LYD 10.

Part (2)
Other Misdemeanours and Infractions Pertaining to Public Safety

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (477)
Manufacturing or Trading in Arms without a Licence

Anyone who, without a licence, manufactures arms or imports them into Libya, exports them from Libya or offers them in any manner for sale, or carries them for trade or manufacture, shall be punished by detention for a period not exceeding one year and a fine not exceeding LYD 20 and not exceeding 100 LYD.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (478)
Possession of Arms in Violation of the Law

Anyone who has in his possession arms or ammunition and does not notify the authorities thereof shall be punished by detention for a period not exceeding one year or a fine not exceeding LYD 20.

Pursuant to Article (1) of the Law of 1954 amending Article (479) of the Penal Code:

Article (479)

Refusal to Surrender Arms

The competent authorities may issue orders to surrender arms or ammunition in possession of persons or a specific type thereof within a specified period.

Anyone who surrenders the arms or ammunition in his possession to the police headquarters in whose jurisdiction his place of residence is located within the specified period shall be exempted from punishment under Articles (477), (478), and (480) of the Penal Code.

Anyone who violates the said order shall be punished by detention for a period of no less than one year and not exceeding three years and a fine of no less than LYD 20 and not exceeding LYD 100, in addition to confiscation of the arms or ammunition seized.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (480)

Bearing Arms without a Licence

Anyone who bears arms outside his residence or its appurtenances without a licence from the authorities shall be punished by detention for a period not exceeding two years and a fine not exceeding LYD 50.

The penalty shall be detention and a fine not exceeding LYD 100 if the act is committed in a place of meeting or assembly or by night in an inhabited neighbourhood.

Article (481)

Preventive Measures

In the circumstances set forth in the previous articles, the person convicted may be subjected to preventive measures.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (482)

Negligence in Custody of Arms

Anyone who is licensed to bear arms and commits any of the following acts shall be punished by a fine not exceeding LYD 10:

1. Hands over an arm to a minor of less than fourteen years of age, or to a person unlicensed to bear arms, or allows any such person to bear them.
2. Is negligent in his custody of arms in order to prevent any of the persons mentioned in the preceding item from easily obtaining the same.
3. Carries a loaded gun in a place of meeting or assembly.

Pursuant to Article (3) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (483)**Fireworks**

Anyone who, in an inhabited neighbourhood, or in places adjacent thereto, on a public road, or in the direction thereof, fires shots, or ignites fireworks, launches rockets, or causes any fire or explosion, without licence from the authorities shall be punished by a fine not exceeding LYD 10.

If the act is committed in a place of meeting or assembly, the penalty shall be detention for a period not exceeding one month.

Article (484)**Definition of Arms**

In the previous provisions, the expression "arms" shall refer to:

1. Firearms and any other instruments prepared by their nature for the purpose of injuring persons.
2. Bombs and any device or instrument for holding explosive materials, explosive materials themselves, and asphyxiating gases or blinding gases or any injurious gases.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (485)**Negligence in Placement of Signs or Barriers or Removal Thereof**

Anyone who is negligent in the placement of signs or barriers that are required to be placed by laws or regulations on public passageway to prevent danger to the public, or who removes such signs or barriers, or who extinguishes warning lamps to warn against danger, shall be punished by detention for a period not exceeding one month or a fine not exceeding LYD 10.

The penalty shall be detention by a period not exceeding two months or a fine not exceeding LYD 20 if the signs or barriers had been placed in their position by a public authority or if the lamps are for the purpose of public illumination.

Article (486)**Dangerously Throwing Objects**

Anyone who throws, discards, or pours any items that are such as to cause harm to, dirty, or harass persons in a public passageway or a private place used in common or privately, or who causes conditions not permitted by law that allow gases, vapour, or smoke to escape that are such as to have the aforementioned effects, shall be punished by detention for a period not exceeding one month or a fine not exceeding LYD 5.

Article (487)**Placing of Items in a Dangerous Manner**

Anyone who, without due caution, places or hangs items which, if they fall in a public passageway or in a private place used in common or private, are likely to harm, dirty, or harass persons, shall be punished by a fine not exceeding LYD 5.

Pursuant to Article (3) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (488)**Failure to Prevent the Collapse of Crumbling Buildings**

Any owner of a building that threatens to collapse, and anyone required to act on his behalf in the maintenance and custody of the building, who neglects to take the necessary measures to prevent to remove the danger of collapse shall be punished with a fine of between LYD 5 and LYD 10.

Pursuant to Article (3) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (489)**Negligence in Custody of Animals or Vehicles and Poor Care Thereof**

Anyone who has in his possession dangerous animals and leaves them at large or who does not exercises the necessary custody of them, or who entrusts them to an inexperienced person, shall be punished by detention for a period not exceeding three months or a fine not exceeding LYD 10.

The same penalty shall apply to the following persons:

1. Anyone who leaves any beast of draft or burden, or any beast used for racing unattended in an open place or in any way permits the same to be uncontrolled, or ties up or drives the same in a manner that endangers the public.
2. Anyone who excites or startles animals in such a manner as to endanger persons.
3. Anyone who drives a vehicle on roads, in public places, or places open to the public, in such a manner as to endanger persons or items, or who leaves the same, even for a short period, without taking the necessary precautions.

Pursuant to Article (1) of Law No. (24) of 1974 amending an article of the Penal Code:

Article (490)**Negligence in Care of Mental Defectives or Minors**

Anyone who is responsible for the care of a mentally defective person or a minor under the age of seven years and who loses the person due to neglect in care shall be punished by a fine not exceeding LYD 10 and not exceeding LYD 50. The penalty shall be doubled if the nearest police station or checkpoint is not notified immediately upon the loss of the person.

Pursuant to Article (3) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (491)**Custody of Mental Defectives or Juveniles without Permission**

Anyone who receives into his custody a person whom he knows to be afflicted with mental defect and does not immediately inform the competent authorities thereof, or anyone who places a juvenile in public reformatories for juveniles without obtaining the required permission therefor, or who releases such persons in conditions not authorised by law, shall be punished by a fine not exceeding LYD 10.

Part (3)**Other Misdemeanours and Infractions Pertaining to Public Morals**

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (492)

Setting Up Gambling Games

Anyone who sets up equipment for the playing of gambling games in a public place or place open to the public and prepares a place thereof shall be punished by detention for a period not exceeding six months and a fine not exceeding LYD 50.

If the offender is habitual offender, he may be released under supervision.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (493)

Gambling

Anyone who, in a public place or place open to the public, is found gambling shall be punished by detention for a period not exceeding one month or a fine not exceeding LYD 10.

Article (494)

Accessory Penalty

In all other infractions pertaining to gambling, all money used in the game and all instruments and items used for the game shall be confiscated.

Article (495)

Definition of Gambling Games

In the application of the previous articles, gambling games are those in which the object is gain and in which gain or loss is entirely or mostly dependent upon chance.

In the application of the previous articles, gambling houses shall be understood to be locations where people meet to play gambling games, even if the location is a private location or even if the object of the games is concealed in any manner.

Article (496)

Lotteries

Anyone who establishes a lottery without permission shall be punishable by detention for a period not exceeding six months and of a fine not exceeding LYD 50.

The money and items offered in the lottery shall be confiscated.

Pursuant to Article (21) of Law No. (89) of 1974 prohibiting alcohol and establish the *hudud* punishment for drinking:

Article (497)

Article (497) *bis*

Article (498)

Repealed.

Pursuant to Article (6) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (499)

Repealed.

Article (500)

Offering or Trading in Indecent Items

Anyone who exposes to the public view offers for sale or distributes in a public place or place open to the public, documents, pictures or other items that offend public decency shall be punished by a fine between LYD 1 and LYD 10.

Article (501)

Indecent Acts and Obscene Language

Anyone who undertakes an act contrary to public decency in a public place or a place open or exposed to the public shall be punished by detention for a period not exceeding one month or a fine not exceeding LYD 10.

Anyone who utters indecent language in a public place or a place open to the public shall be subject to a fine not exceeding LYD 5.

Article (502)

Cruelty to Animals

Anyone who is cruel to an animal or mistreats, overload, or manifestly overworks the same without justification, shall be punished by a fine not exceeding LYD 5.

Part (4)

Other Misdemeanours and Infractions Pertaining to the General Protection of Property

Article (503)

Unlawful Possession of Property

Anyone who has been convicted of an offense pertaining to property or an offence the motive of which was gain and is found in possession of money or other items not appropriate for his condition and is unable to prove the legality of his its source shall be punished by detention for a period not exceeding three months.

If the offender is found in possession of modified or counterfeit keys or of genuine tools suitable for opening or breaking locks and is unable to prove the lawfulness of the real purpose for his possession he shall be punished by detention for a period not exceeding six months, and the money or other items shall be confiscated.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (504)

Counterfeiting or Sale of Keys to Suspicious Persons

Anyone who sells or hands over to any person any tools for opening or manufactures copies of a key or three-dimensional forms thereof of any kind for suspicious persons, shall be punished by detention for a period not exceeding six months and of a fine not exceeding LYD 10.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (505)

Purchase of Items of Doubtful Origin

Anyone who, without first verifying the lawfulness of their origin, purchases or receives in any manner any items which by their description or by the condition of the person who offers them or by the price thereof may be suspected of being obtained from an offence, shall be punished by detention for a period not exceeding one month.

The same penalty shall apply to anyone who acts in any way to acquire or receive the said items without first verifying the lawfulness of their origin.

Pursuant to Article (8) of Law No. (48) of 1956 amending certain articles to the Penal Code:

Article (506)

Possession of Measures in Violation of the Law

Anyone who, in order to conduct commercial activities or in a place for trade open to the public, has in his possession measures or scales that are different from those prescribed by law or who uses measures or scales without observing the requirements of the law shall be punished by detention for a period not exceeding three months or a fine not exceeding LYD 20.

Article (507)

Regulations

Anyone who violates police regulations issued by public, municipal, or local administration shall be punished by the penalties prescribed by those regulations, provided that the period of detention does not exceed one week and the fine does not exceed LYD 10. If the penalty prescribed by the regulations exceeds these bounds, then the penalty shall be reduced thereto. If the regulations do not prescribe a penalty, anyone who violates the same shall be punished by a fine not exceeding LYD 1.